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U.S. Continental congress

JOURNALS  
OF  
CONGRESS.

CONTAINING  
THE  
PROCEEDINGS

*From* JANUARY 1, 1777, *to* JANUARY 1, 1778,

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PUBLISHED BY ORDER OF CONGRESS.

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VOLUME III.

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# J O U R N A L S

O F

# C O N G R E S S.

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W E D N E S D A Y, *January 1, 1777.*

*RESOLVED,*

**T**HAT 2000 dollars be advanced to the committee of  
secret correspondence; they to be accountable:

That 150 dollars be advanced to the board of war; they  
to be accountable.

Congress being informed that lieutenant colonel Baylor,  
one of general Washington's aids de camp, who brought the  
dispatches from general Washington read yesterday, was at  
the door,

*Ordered,* That he be admitted.

Lieutenant colonel Baylor being accordingly admitted,  
gave a particular account of the late action at Trenton, and  
withdrew.

*Resolved,* That a horse properly caparisoned for service be  
presented to lieutenant colonel Baylor, and that he be re-  
commended to general Washington to be appointed to the  
command of a regiment of light horse; and that he rank  
with colonel Sheldon, lately appointed to the like command,  
saving to colonel Sheldon any preference which arises from  
the senior date of his commission.

*Resolved,* That 18.79 dollars be paid to colonel Walter  
Stewart, for his expences in going to Peek's-Kill with dis-  
patches for general Lee.

*Resolved,* That all the prisoners now in the town of Balti-  
more be sent under a guard to Lancaster in Pennsylvania,  
and there closely confined in the stockaded fort erected for

securing prisoners ; and that it be earnestly recommended to the committee of inspection of Lancaster not to permit any person to converse with them except in the presence of the officer of the guard.

That the committee of inspection of Baltimore be requested to send the prisoners under guard to Lancaster, and deliver them, with a copy of the above resolution, to the committee of that borough.

An intercepted letter from Patrick Tonnin, governor of East-Florida, to the right honorable lord George Germaine, dated St. Augustine, 19th July, 1776, being laid before Congress,

*Resolved*, That a letter be written to the president and council of the state of Georgia by the president of Congress, inclosing a copy of the said intercepted letter, recommending to the said president and council—that they proceed immediately to apprehend and secure George Mackintosh, and take such other effectual measures as they shall judge necessary for the safety of the United States of America.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T H U R S D A Y, *January 2, 1777.*

A memorial from Thomas Irving, a prisoner of war now in Baltimore, was presented to Congress and read, praying that he be set at liberty or allowed to proceed on his return to Carolina, agreeable to a permission granted him by governor Trumbull.

*Resolved*, That the said Thomas Irving be permitted to proceed to South-Carolina, under his present parole, to be when he arrives there under the direction of governor Rutledge, or the executive power of that state.

The secret committee having informed Congress that the Lexington was arrived at the port of Baltimore with a number of sailors (prisoners) and a French gentleman who was come to offer his service to Congress,

*Resolved*, That the marine committee be directed to take into consideration the case of sailors taken prisoners, and report thereon to Congress :

That the French gentleman arrived in the Lexington be referred for examination to general Gates.

The board of war, to whom the memorial of colonel Antil was referred, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That colonel Samuel Patterson, at Christiana Bridge, be authorised to muster such companies of colonel

Hazen's

Hazen's battalion as shall march by that place in their way to Philadelphia; and to deliver to such companies as many arms as they may have occasion for:

That Mr. Robert Dill be appointed paymaster to colonel Hazen's battalion.

*Resolved*, That Mr. Serjeant and Mr. Wolcott be added to the marine committee, in the room of the members from New-Jersey and Connecticut, who are absent.

*Resolved*, That general Washington be directed to propose an exchange of the six Hessian field officers taken at Trenton for general Lee.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January 3, 1777.*

A letter of the 29th from general Washington at Newtown, and one of the 30th and 31st December from Mess. Morris, Clymer, and Walton, were read:

*Ordered*, That the latter be referred to the committee on the letter from Mr. Kennon; and that two members be added to that committee, and that they meet and proceed on the business and report to Congress as soon as possible:

The members added, Mr. Sherman and Mr. Chase.

A letter of this day from major Ottendorf was read, and referred to the board of war.

The delegates from Connecticut produced the credentials of their re-appointment, which were read as follows:

"State of Connecticut. At a General assembly of the Governor and Company of the state of Connecticut in America, holden at New-Haven on the second Thursday of October, anno domini 1776,

*Resolved* by this assembly, That Roger Sherman, Samuel Huntington, Eliphalet Dyer, Oliver Wolcott, Richard Law and William Williams, esquires, be, and they are hereby appointed, delegates to represent this state at the General Congress of the United States in America for the year ensuing: and until new be chosen, any or either of them who shall be present in said Congress are hereby fully authorized and empowered to represent this state in said Congress; to consult, advise and resolve upon measures necessary to be taken and pursued for the defence, security and preservation of the rights and liberties of the said United States, and for their common safety. And of such their proceedings and resolves they do transmit authentic copies from time to time to the General Assembly of this state.

"A true copy of record, examined by

"George Wylls, secretary."



*Resolved*, That general Washington be directed to propose and conclude with general Howe an agreement, whereby those who are or may be made prisoners by the enemy may be supplied with provisions and other necessaries, at the expence or on the credit of the United States.

*Resolved*, That general Washington be desired to offer in exchange, one of the Hessian field officers lately taken, for colonel Ethan Allen.

*Resolved*, That the treasurer be directed to pay to Joseph Trumbull, esquire, commissary-general, the sum of 300,000 dollars, by an order on such of the commissioners of the loan-offices in New-England as shall be in cash at the time of the draught; the said commissary-general to be accountable.

[*Note.*] The president drew an order in favour of colonel Trumbull,

On the commissioner of Massachusetts-Bay, 150,000 dollars,  
On the commissioner of Connecticut, 150,000 dollars.

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300,000

Whereas Congress hath received information that the honorable Richard Stockton, esquire, of New-Jersey, and a member of this Congress, hath been made a prisoner by the enemy, and that he hath been ignominiously thrown into a common jail, and there detained;

*Resolved*, That general Washington be directed to make immediate inquiry into the truth of this report, and if he finds reason to believe it well founded, that he send a flag to general Howe, remonstrating against this departure from that humane procedure which has marked the conduct of these states to prisoners who have fallen into their hands; and to know of general Howe whether he chuses this shall be the future rule for treating all such on both sides as the fortune of war may place in the hands of either party.

*Resolved*, That doctor Brownson and doctor Elmer be added to the medical committee.

*Resolved*, That a committee of three be appointed to revise the articles of war, and report what additions and alterations ought, in their opinion, to be made therein:

The members elected, Mr. Heyward, Mr. F. L. Lee, and Mr. Clark.

The several matters to this day referred being postponed, adjourned to 10 o'clock to morrow.

SATURDAY, January 4, 1777.

*Ordered*, That the hearing and determining upon the appeal against the sentence on the libel, "John Craig versus brig

brig Richmond, &c." be referred to the committee appointed on the 27th. of November last to hear and determine an appeal; and that Mr. Serjeant and Mr. Ellery be added to the said committee, in the room of Mr. Wythe and Mr. Payne.

*Resolved*, That Benjamin Brannon be appointed a signer of the continental bills of credit.

The committee appointed to repair to the army brought in a report, which was read and referred to the medical committee.

*Resolved*, That Gerard Hopkins, son of Richard, be appointed a deputy quartermaster.

*Resolved*, That an auditor of accounts be appointed in the room of Thomas Smith, esquire, who is appointed a commissioner of the loan-office for the state of Pennsylvania; and the ballots being taken,

Samuel Downe, esquire, was elected.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

#### M O N D A Y, January 6, 1777.

A letter of the first from general Washington;

One of the 2d and 3d from the committee of Congress in Philadelphia;

One of the 1st from W. Palfrey to Richard Peters, secretary at war;

One of the same date from Mr. Palfrey to Congress;

One of the 31st of December from Carpenter Wharton;

One of the 3d from general Putnam, with a letter to him inclosed from adjutant general Reed; and

One of the 4th from George Morgan, with sundry papers inclosed, were read:

*Ordered*, That the letters from Mr. Palfrey be referred to the board of treasury.

*Resolved*, That 70,000 dollars be advanced to Joseph Pennel, for the purpose of laying up magazines of provisions, and charged to the account of Carpenter Wharton; and that Mr. Pennel be directed in making the purchase so to conduct himself as not to bid upon others purchasing for the continent.

*Ordered*, That the letter from George Morgan, with the papers inclosed, be referred to a committee of three:

The members chosen, Mr. R. H. Lee, Mr. S. Adams, and Mr. Thornton, who are directed to confer with Mr. Morgan.

*Resolved*, That the committee on general Schuyler's letters be authorised to employ persons to contract with the

owners of founderies for a sufficient quantity of cannon for the fortresses at or near Ticonderoga.

*Resolved*, That the board of war be directed to send an express to hasten the march of colonel Mackay's battalion, and the troops who have joined him, to Philadelphia, or to general Washington's army; and also to send an express to hasten up the light horse from Virginia, desiring the commanding officer not to delay their march, on account of any prisoners he may have with him, but leaving them in some secure place to proceed with his troops with all possible dispatch by forced marches to join general Washington.

*Resolved*, That the president of the council of Massachusetts-Bay be desired to administer an oath to Samuel Downe, esquire, one of the commissioners for adjusting the accounts of the army under the command of general Washington, for the faithful discharge of his duty, and give him a certificate thereof.

Congress being informed that major general Lee hath, since his captivity, been committed to the custody of the provost, instead of being enlarged on his parole, according to the humane practice that has taken place with officers of the enemy who have fallen into the hands of the American troops; a treatment totally unworthy of that gentleman's eminent qualifications, and his rank in the service of these United States, and strongly indicative of farther injuries to his person:

*Resolved*, That general Washington be directed to send a flag to general Howe, and inform him that, should the proposed exchange of general Lee for six Hessian field officers not be accepted, and the treatment of him as above mentioned be continued, the principles of retaliation shall occasion five of the said Hessian field officers, together with lieutenant colonel Archibald Campbell, or any other officers that are or shall be in our possession equivalent in number or quality, to be detained, in order that the same treatment which general Lee shall receive may be exactly inflicted upon their persons.

*Ordered*, That a copy of the above resolution be transmitted to the council of Massachusetts Bay, and that they be desired to detain lieutenant colonel Campbell and keep him in safe custody till the farther order of Congress; and that a copy be also sent to the committee of Congress in Philadelphia; and that they be desired to have the prisoners, officers and privates, lately taken, properly secured in some safe place.

*Resolved*,



*Resolved*, That two months pay be advanced to the seamen who will engage to serve on board the continental frigate Virginia, the same to be deducted out of their share of the prizes taken by the said frigate.

The medical committee brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, January 7, 1777.

A letter of the 6th from J. F. C. Lignet was read and referred to the medical committee.

A petition from Elizabeth Garvin was read and referred to the delegates of Maryland.

*Resolved*, That the delegates of Maryland and Mr. Wither-spoon be a committee to consider the case of the prisoners in Baltimore.

*Resolved*, That two months pay be advanced to the men on board the Lexington, as a gratuity for their services in rescuing from the enemy and bringing in the Lexington.

The committee of treasury reported, that there should be advanced to Mr. John Doughty, for his expences in conveying loan-office certificates from Hartford to the several commissioners of the loan-offices in New-England, the sum of 106.60 dollars; he to be accountable :

That there should be advanced to Richard Dorsey and Larkin Dorsey, to purchase horses and for their expences as an escorte to John Doughty with loan-office certificates to New-England, the sum of 400 dollars; they to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, January 8, 1777.

A letter of the 5th from the committee of Congress in Philadelphia, was read :

*Resolved*, That general Washington be directed to propose to general Howe an exchange of lieutenant colonel Gezeau, a French gentleman taken with general Lee, and said to be then on his journey to solicit a commission from Congress, for an officer of equal rank, or take such other measures as shall be effectual to obtain his release.

The committee of treasury laid before Congress a farther list of persons recommended by the treasurer to sign the bills of credit, who were approved of and are as follow : William Gibson, John Philpot, Richard Johns, Robert Dorsey, and Mark Alexander.

The

The committee appointed to take into consideration a letter from William Kennon to general Lee, relative to magazines of provisions laid up by the said William Kennon in the states of South-Carolina and Georgia, as it is said, by order of general Lee, brought in a report; which was taken into consideration; whereupon

*Resolved*, That it be recommended to the president of the state of South-Carolina, and to the president of the state of Georgia, to appoint proper persons to inquire what quantity of provisions have been stored by William Kennon for the public use, agreeable to engagements made with general Lee; and that they take such provisions off Mr. Kennon's hands, allowing him the price thereof if they judge it reasonable, with an adequate recompence for his trouble and expences; that they fulfil any engagements he may be under by having pledged his credit, they receiving the provisions for which such engagements have been made. That the presidents of the said states also appoint commissaries to remove such provisions as are fit for use to places of safety, and to make returns as soon as may be of the quantity and cost thereof: that the presidents of those states also certify to the continental treasury office the amount of the said William Kennon's demand against the continent, and that it be paid to the said William Kennon accordingly, or to any other applying in his behalf, properly empowered for that purpose.

The committee to whom the letter of George Morgan was referred brought in a report, which was taken into consideration; whereupon

*Resolved*, That, pursuing the idea of Congress for quickly reinforcing the army, the governor of Virginia be desired, by a letter from Mr. president, to order colonel Wood's and the West Augusta battalions to march immediately by the nearest routs to join general Washington in New-Jersey; leaving recruiting officers behind to complete the battalions if they are not already full, and to follow on with their recruits:

That for the defence of the western frontiers of Virginia against Indian incursions, the forts Pitt and Randolph be each garrisoned at continental expence, with a company of 100 men, commanded by one captain, two lieutenants, one ensign, and the usual inferior non-commissioned officers:

That the governor and council of Virginia appoint and commissionate, with continental commissions, the proper officers to recruit and command said companies, and that the men be enlisted during the war:

That

That provision for 2000 men six months be laid in at fort Pitt, to be in readines, if it should become necessary, to chastise Indian irruptions by going to their towns :

That 100 bushels of salt be ordered by the secret committee from the continental stock, for the purpose of curing said provisions :

That as many boats and proper vessels be procured as may be sufficient for conveying 1500 men, with their provisions, from Pittsburg to Hockhocking ; and that they be kept in readines at Pittsburg :

That the goods mentioned in Mr. Morgan's letter be purchased and brought down to this place immediately, except the powder and lead, which may remain at Pittsburg for public use in that quarter :

That the sum of 4,500 dollars be advanced to Mr. Morgan on account, for the following uses, viz. dollars.

For expences incurred by order of the commissi- sioners,	600
---	-----

For contingent expences of his department until June next,	600
---	-----

Various charges and expences in transporting goods,	600
--	-----

For purchasing provisions and casks for packing, &c.	2700
--	------

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4500

That Mr. Morgan be authorized to draw a bill on the president of Congress, for the amount of the goods already mentioned, which he estimates at 4 or 5000 dollars :

That Mr. Morgan have the rank and pay of a colonel on the continental establishment :

That John Fernee be paid the sum of 50 dollars, for a waggon horse, stolen from him by the Seneca Indians, as he returned from the late treaty at Pittsburg.

That colonel Morgan appoint a proper person, deputy commissary, for providing and taking care of the provisions for the garrisons upon the western frontiers of Virginia, and to take care of the provisions and other continental stores laid up at those places for Indian expeditions, and other public purposes ; and the said commissary is directed to receive the provisions and fulfil the contracts made by the government of Virginia, for victualling and supporting said western garrisons.

The committee of treasury report that there is due :

To Peter Galloway, for riding express to Frederic and Annapolis in Maryland, the sum of 13.30 dollars :

To John Biddle, for furnishing provisions to men, women and children prisoners, at Reading, 333.80 dollars :

They

They farther report,

That they have examined the accounts of Robert Jewell, for the maintainance of prisoners in the new jail of Philadelphia, and for the salary of himself and two assistants, &c. amounting in the whole to 1783.57 dollars; of which he has received the president's warrant for 500 dollars; and that there remains a balance due to him of 1283.57 dollars:

That there is due to the honorable Roger Sherman, esquire, for money advanced by him to Andrew Gillman, to pay the expences of the Penobscot Indians, who joined general Washington, 48.30 dollars, the said Gillman to be accountable:

That there is due to the honorable Samuel Chase, esquire, the sum of 400 dollars, 200 of which sum was advanced by him to captain Levin Winder, for the expence of conveying the North-Carolina prisoners to Baltimore, and 200 dollars advanced to Montjoy Bailey, for the expence of Jersey prisoners from Philadelphia to Frederick town; the said Winder and Bailey to be accountable.

*Ordered*, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, January 9, 1777.

*Resolved*, That Udney Hay, esquire, be appointed a lieutenant-colonel by brevet, and assistant deputy quarter-master general, and stationed at Ticonderoga:

That William Claijon, secretary to general Gates, be appointed interpreter for the northern department, and that there be allowed him, as secretary and interpreter, the pay of 66 dollars per month:

The committee to whom the petition of the North-Carolina prisoners was referred, brought in a report which was taken into consideration; whereupon

*Resolved*, That a good and convenient house, if possible, be provided for their reception; that they be put upon their parole, and that an oath be administered to them, after the manner used in Scotland; and at the same time, that a serjeant's guard be kept at the house, to prevent all suspicion of improper intercourse with them:

That captain John Mackenzie, who was enlarged upon his parole several months ago, and has since resided in Donnegall in Pennsylvania, be permitted to go home to his family, he giving his oath to do nothing to the prejudice of the American States, or any of them, and finding security



security in the sum of five hundred pounds, to observe this engagement, as also that he himself shall present this resolution to the executive powers of North-Carolina, for their concurrence, and be intirely subject to their directions.

*Resolved*, That 266.60 dollars be advanced to captain Lee for the use of the light-horse under his command, on their march from Virginia to join general Washington; the said captain Lee to account with the paymaster general for the expenditure.

Congress resumed the consideration of the report of the medical committee; whereupon

*Resolved*, That doctor John Morgan, director general, and doctor Samuel Stringer, director of the hospital in the northern department of the army of the United States be, and they are hereby dismissed from any farther service in said offices:

That the directors of the military hospitals throughout the army, with the assistance of the hospital and regimental surgeons in each department, make returns to Congress, as soon as possible, of the kind and quantity of medicines, instruments, and hospital furniture that remain on hand.

A letter of the 6th from the committee of Congress at Philadelphia, inclosing one of the 5th from general Putnam at Bristol, and a copy of one of the 4th from major A. Hubly at Bordentown were read, and referred to the committee of intelligence;

One of the 18th of December, 1776, from the council of Massachusetts-Bay, was read and referred to the board of war.

*Resolved*, That the president be desired to write to the executive powers of the different United States, requesting that they will, as soon as possible, inform Congress what success the officers in their respective states have met with in raising the troops required by the resolve of the 16th of September last.

The delegates from the state of Massachusetts-Bay, laid before Congress credentials of their appointment, which were read as follows:

“ In Council, December 10, 1776.

“ Whereas John Hancock, Samuel Adams, John Adams, Robert Trait Paine, Elbridge Gerry, Francis Dana, and James Lovell, esquires, have been chosen by joint ballot of the two houses of assembly to represent the state of Massachusetts-Bay in New-England, in the American Congress, until the first day of January, 1778:

“ *Resolved*,

*Resolved*, That they, or any three or more of them, are hereby fully impowered, with the delegates from the other American States, to concert, direct and order such farther measures as shall to them appear best calculated for the establishment of right and liberty to the American States, upon a basis permanent and secure against the power and art of the British administration; for prosecuting the present war, concluding peace, contracting alliances, establishing commerce, and guarding against any future encroachments and machinations of their enemies; with power to adjourn to such times and places as shall appear most conducive to the public safety and advantage. And the secretary is hereby directed, as soon as may be, to signify to each of those gentlemen their appointment, with an attested copy of this resolve.

“ Sent down for concurrence. John Avery, dep. sec.

“ In the house of Representatives, Dec. 10, 1776.

“ Read and concurred. Sam. Freeman, speaker, p. t.

“ Consented to by the major part of the council.

“ A true copy. John Avery, dep. sec.”

*Resolved*, That Mr. Brownson be appointed a member of the marine committee :

That two members be added to the committee for regulating the several boards of business :

The members chosen, Mr. Sherman and Mr. Heyward.

The committee appointed to take into consideration the letter from the committee of Congress at Philadelphia, relative to the means of procuring provisions in the middle and southern states for the supply of the continental army, brought in a report, which was taken into consideration; whereupon,

*Resolved*, That it be most earnestly recommended to the executive powers of Georgia, South-Carolina, North-Carolina, Virginia and Maryland, immediately to appoint suitable persons to purchase and collect such quantities of beef and pork as they have or can obtain salt to cure; that each state shall make use, not only of the salt within its own limits, but shall have recourse to its neighbours, either by bringing salt from them, or sending their live hogs and cattle to be killed and salted there. That the persons employed to execute this business be directed to make use of the utmost œconomy, and cautiously avoid bidding upon each other, whereby great injury hath already been done to the public :

That, in the opinion of Congress, the executive powers of the several states above mentioned would do well to limit the prices of the said articles, and not suffer persons employed

employed in purchasing to exceed them ; and that the purchasers should be paid a reasonable commission upon the purchases, in order to stimulate them to be active and industrious :

That the provisions be stored in secure magazines, convenient for transportation ; and that the several states whom this resolve is intended particularly to affect, may more effectually co-operate to accomplish this important purpose, it is recommended to the said executive powers, that they confer together by epistolary correspondence, or such other manner as they may think best, in order to pursue some general and beneficial plan in which they may be mutually useful to each other :

That the president communicate to Joseph Trumbull, esquire, commissary general, such part of the committee's letter as relates to Carpenter Wharton :

That it be recommended to the secret committee to fall upon some expedient immediately to supply the state of North-Carolina with salt, for the purpose of carrying the foregoing resolution into effect.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January 10, 1777.*

A petition from William Goddard, and one from Elisha Painter, were read, and referred to the board of war,

*Resolved*, That 60,000 dollars be advanced to the state of Maryland for public services ; the said state to be accountable.

*Resolved*, That 300,000 dollars be sent to Ebenezer Hancock, esquire, deputy paymaster general in the eastern department, for the purpose of paying the bounties and defraying the expences of raising the new levies in that department,

*Resolved*, That 16,666.60 dollars be advanced to the delegates of Georgia, for the use of that state, which is to be accountable.

*Resolved*, That John Dorsey and Edward Gater be appointed signers of the bills of credit, in addition to those already appointed.

Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency ; and after some time spent thereon the president resumed the chair, and Mr. Nelson reported that the committee have had under consideration the matters referred to them, but not having come to a conclusion, desired leave to sit again.

*Resolved*,

*Resolved*, That this Congress will to-morrow resolve itself into a committee of the whole, to take into further consideration the state of the treasury, and the means of supporting the credit of the continental currency :

That 600 dollars be advanced to major Ottendorf, for the purpose of recruiting his independent company of 150 ; he to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow,

SATURDAY, January 11, 1777.

*Resolved*, That the determination on the sentence of the court martial, passed on colonel Donald Campbell, be referred to general Gates for his approbation or disapprobation : any thing in a former resolve, referring it to general Schuyler, to the contrary notwithstanding.

*Resolved*, That 266.60 dollars be advanced to captain John Jamison, and 266 60 dollars to major Theodorick Eland, both of the light horse from Virginia, for defraying the expence of the troops under their command ; they to be accountable :

That 1066.60 dollars be advanced to Henry Hollingsworth, for the purpose of supplying the troops from Virginia on their march to Philadelphia ; he to be accountable.

It being represented to Congress that several persons disaffected to the American cause, have through inadvertence been employed as deputy post-masters and post-riders ; which, if true, must be attended with the most mischievous effects,

*Resolved*, That the postmaster-general be, and he is hereby directed to transmit to Congress a list of names of the persons so employed, and by whose recommendation they were introduced, that Congress may consider, and if necessary take order therein ; and that he assign reasons why the late resolves of Congress for regulating the post-office are not carried into execution.

*Resolved*, That an agent be appointed for transacting business between the United States and the several Indian nations and tribes in Nova-Scotia, and the country to the northward and eastward thereof ; and that Tuesday next be assigned for electing one.

*Resolved*, That a committee of four be appointed to prepare a resolution for regulating the impressing of waggons and horses for the public service :

The members elected, Mr. R. H. Lee, Mr. Sherman, Mr. Witherspoon, and Mr. Adams.

An appeal being lodged against a sentence passed in the court



court of admiralty for the state of Rhode-Island, on the libel of Job Pierce, v. the brig Phoenix :

*Ordered*, That the hearing and determining the said appeal be referred to the committee appointed on the 4th instant.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, January 13, 1777.

A letter of the 5th from general Washington at Pluckemin in New-Jersey ;

One of the 7th and 8th from the committee of Congress at Philadelphia ;

One of the 30th Dec. 1776, from general Schuyler at Albany ;

One of the 21st of the same month from Richard Varick, with returns of the garrisons at and near Ticonderoga ;

One of the 28th of the same month from the convention of New-York, with sundry papers inclosed ;

One of the 6th instant from the council of safety of Pennsylvania ;

One of the 1st from J. Trumbull, junior ; and

One of the 23d of December from governor Trumbull ; were laid before Congress and read :

*Ordered*, That the letter from general Schuyler be referred to the committee on the northern army :

That the letter from the council of safety of Pennsylvania be referred to the cannon committee :

That the letter from J. Trumbull, junior, be referred to the board of treasury :

That the rest be referred to the board of war.

*Resolved*, That 40 blankets be delivered by the secret committee to lieutenant Alexander Spotswood Dandridge, of captain Lewellin Jones's troop of Virginia horse ; for the use of the said troop.

*Resolved*, That 100 dollars be paid to Walter Cruise, and 100 dollars to Richard Carpenter, who have been long detained prisoners by the enemy, and cruelly treated by them ; and that they be recommended to General Washington to be employed in the service of the United States in such way as he shall think proper.

*Resolved*, That the committee of Congress at Philadelphia be impowered to purchase the prize sloop of war taken by the Andrew Doria, with her guns, apparel and furniture, and fit her out as a continental cruiser.

*Resolved*, That a member be added to the board of war.

The member chosen, Mr. S. Adams.

*Ordered*,

*Ordered*, That a copy of the resolutions lately passed respecting the northern army, be made out and delivered to general Gates, to be by him carried to general Schuyler.

Congress resolved itself into a committee of the whole, to take into further consideration the state of the treasury, and the means of supporting the credit of the continental currency ; and after some time spent thereon the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matter to them referred, and have made farther progress, but not having come to a conclusion, desired leave to sit again.

*Resolved*, That Congress will to-morrow resolve itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency.

*Resolved*, That the board of war be directed to send the prisoners who are at the guard-house to Leesburg in Virginia, there to be delivered to the committee of that town, who are desired to have them securely confined till farther orders.

*Resolved*, That the committee lately appointed to hear appeals, be impowered to take the deposition of Coffin, who is obliged to go to sea this evening, there being no magistrate in this town to take his deposition.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y, *January 14, 1777.*

*Resolved*, That William Young and George Patterson be appointed signers of the bills of credit, in addition to those already appointed.

The committee to whom the letter from General Schuyler was referred, brought in a report which was taken into consideration ; whereupon

*Resolved*, That Messieurs Morris, Clymer, and Walton, be directed with all possible dispatch, to procure in the state of Pennsylvania or New-Jersey, and send to Albany, three tons of steel and five tons of nail rods, for the use of the army in the northern department :

That Congress approve of general Schuyler's design of building five or six flat-bottomed boats of considerable force, for the guard of lake George, so contrived as to carry flour and other provisions as occasion may require :

That general Schuyler, or the commanding officer of the northern army, give such instructions to the regimental paymasters as he shall judge necessary, and transmit a copy thereof to Congress :

That

That the medical committee provide a suitable assortment of medicines, and send them to the hospital in the northern army with all possible dispatch, together with other necessities for the sick : and that the list mentioned by doctor Stringer, in a paper, No. 1, inclosed in general Schuyler's letter be committed to them :

That doctor Potts be directed to repair to Ticonderoga without delay :

That doctor Stringer be directed to deliver to doctor Potts, such medicines and other medical stores as may be in his hands belonging to the continent.

*Resolved*, That the light horse from Virginia be taken into continental pay, and put upon the continental establishment ; that their pay commence from the 25th of November last ; and that the state of Virginia be reimbursed for the horses and furniture of the said troops :

That 266.60 dollars be advanced to Theodorick Bland, esquire, major of the squadron of light horse from Virginia, for the use of the said squadron ; he to be accountable :

That 1000 dollars be advanced to Gerard Hopkins, son of Richard, quartermaster, for the public service ; he to be accountable :

Agreeably to the order of the day, Congress proceeded to the election of an agent for the Indians in Nova-Scotia, and the tribes to the northward and eastward thereof ; and the ballots being taken,

John Allen, esquire, was elected.

*Resolved*, That a committee of three be appointed to prepare instructions for Mr. Allen :

The members chosen, Mr. S. Adams, Mr. Wolcott, and Mr. Thornton.

Congress resolved itself into a committee of the whole, to take into further consideration the state of the treasury, and the means of supporting the credit of the continental currency ; and after some time spent thereon the president resumed the chair, and Mr. Nelson reported that they having had under consideration the matters to them referred, had come to sundry resolutions, which he was ordered to report whenever the house should be ready to receive them :

*Ordered*, That they be now received.

The report from the committee of the whole being read was agreed to, as follows, viz.

Whereas the continental money ought to be supported at the full value expressed in the respective bills by the inhabitants of these states, for whose benefit they were issued, and who stand bound to redeem the same according

to the like value ; and the pernicious artifices of the enemies of American liberty to impair the credit of the said bills by raising the nominal value of gold and silver, or any other species of money whatsoever, ought to be guarded against and prevented :

*Resolved*, That all bills of credit emitted by authority of Congress ought to pass current in all payments, trade and dealings in these states, and be deemed in value equal to the same nominal sums in Spanish milled dollars ; and that whosoever shall offer, ask or receive more in the said bills for any gold or silver coins, bullion, or any other species of money whatsoever than the nominal sum or amount thereof in Spanish milled dollars, or more in the said bills for any lands, houses, goods or commodities whatsoever than the same could be purchased at of the same person or persons in gold, silver, or any other species of money whatsoever ; or shall offer to sell any goods or commodities for gold or silver coins, or any other species of money whatsoever, and refuse to sell the same for the said continental bills ; every such person ought to be deemed an enemy to the liberties of these United States, and to forfeit the value of the money so exchanged, or house, land or commodity so sold or offered for sale. And it is recommended to the legislatures of the respective states to enact laws inflicting such forfeitures and other penalties on offenders as aforesaid as will prevent such pernicious practices :

That it be recommended to the legislatures of the United States to pass laws to make the bills of credit issued by the Congress a lawful tender in payments of public and private debts ; and a refusal thereof an extinguishment of such debts : that debts payable in sterling money be discharged with continental dollars at the rate of  $\frac{4}{6}$  sterling per dollar ; and that in discharge of all other debts and contracts, continental dollars pass at the rate fixed by the respective states for the value of Spanish milled dollars :

That it be recommended to the legislatures of the several states to pass resolutions that they will make provision for drawing in and sinking their respective quotas of the bills emitted by Congress at the several periods fixed, or that shall be fixed by Congress :

That it be recommended to the legislatures of the several states to raise by taxation in the course of the current year, and remit to the treasury, such sums of money as they shall think will be most proper in the present situation of the inhabitants ; which sums shall be carried to their credit, and accounted for in the settlement of their proportion of the public expences and debts, for which the United States are jointly bound :

That



That an additional sum of two millions of dollars be borrowed at the loan-offices, on certificates of 200 dollars each :

That the commissioners of the loan-office be directed to receive the bills of credit heretofore emitted by the states in which they respectively hold their offices, for such sums as shall be ordered by the commissioners of the treasury or continental treasurer from time to time for continental purposes within such states respectively.

Congress being informed that a number of Hessian officers, prisoners, are on their way to this town,

*Resolved*, That the board of war be directed to send the said prisoners to Dumfries in Virginia, with a request to the committee of the said town to see them suitably provided for agreeable to the provision made for prisoners.

*Resolved*, That two months pay be advanced to St. Pierre Auguste de St. Aubin, adjutant of the squadron of the Virginia light horse ; he to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

### WEDNESDAY, *January 15, 1777.*

*Resolved*, That Messieurs Purviance be requested immediately to remove all the powder belonging to the continent from the warehouse in this town to a convenient house some distance therefrom, in proper waggons and carts, taking care that the tight barrels alone be removed, and that careful persons be employed to make thirty gallon casks, sufficient to contain all the powder that may be in battered or open casks :

That captain Smith be desired to furnish a guard of the most trusty and orderly soldiers, over the powder.

The committee appointed to prepare instructions to Mr. J. Allen, agent for Indian affairs in the eastern department, brought in a draught which was read, and being amended, was agreed to as follows :

Sir, Having been informed of your knowledge of, and acquaintance with the tribes of Indians, inhabitants of St. John's and Nova-Scotia, and confiding in your zealous attachment to the interest of the United States, this Congress have made choice of you to be their agent, empowering you in their behalf, to treat with those Indians, and as far as you shall be able, to engage their friendship, and prevent their taking a part on the side of Great-Britain in the unjust and cruel war against these United States :

You will explain to them, as clearly as their understanding of the nature and principles of civil government will

admit, the grounds of the dispute between Great-Britain and America, the pains that we have taken to settle those disputes on the rules of equity, and the necessity we were finally driven to, in defence of our liberty and lives, to resist our oppressors unto blood. Thus by convincing them of the justice of our cause, you may attach them to our interests, and lay a solid foundation for lasting peace and friendship with us :

You will also inform them of the union that subsists among the people of these states, and the strength derived therefrom to each of them ; that viewing us in this light, they may see their own safety depending upon their peaceable disposition and behaviour towards us :

You are to cultivate trade with them, by which means many great advantages, which have heretofore thence accrued to the subjects of Great-Britain, will be gained by the people of these states :

And you are in a particular manner instructed to use your utmost diligence and influence to promote an intercourse and correspondence between those tribes and the Indians living in and about Canada, by the effecting of which, the most useful and necessary intelligence may be frequently obtained ; and you are to give the earliest notice to Congress, and to general Washington, and the commanding officer at Ticonderoga, of such intelligence as you may receive :

You will as often as you shall be required, exhibit to Congress a fair account of the expenditure of such monies as you may be entrusted with for the purpose of your agency ; together with a general state of affairs within your department, that Congress may avail themselves of it for the public good.

*Resolved*, That the sum of 900 dollars be annually allowed and paid to John Allen, esquire, during his continuance as agent of this Congress to the Indians of St. John's and Nova-Scotia :

That 1000 dollars be advanced to John Allen, esquire, agent, &c. to enable him to carry on the affairs of his agency among the Indians of St. John's and Nova-Scotia ; he to be accountable for the same.

*Resolved*, That the sum of 533.30 dollars be advanced to the board of war, for defraying the expence of sending the Hessian prisoners to Dumfries, and the prisoners in the guard house in Baltimore to Leesburg in Virginia, agreeable to the orders of Congress ; the said board to be accountable for the expenditure.

*Resolved*, That the sum of 55000 dollars be advanced to the

the delegates of Georgia, for the use of the troops raised by that state; the said state to be accountable.

*Resolved*, That the secret committee be directed to supply captain Yates's company with blankets; and that one month's pay be advanced to captain Yates for his company; he to be accountable.

*Resolved*, That 2000 dollars be advanced to brigadier Smallwood, for the purpose of defraying the arrears due to the men of his late battalion; he to be accountable.

*Resolved*, That to-morrow be assigned for appointing a paymaster in Baltimore.

Congress then resolved itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency, and after some time the president resumed the chair, and Mr. Harrison reported that the committee have come into a resolution on the subject to them referred, which he was ordered to report:

The report being read was agreed to, as follows;

*Resolved*, That the continental treasurer be impowered and directed to borrow money on the loan-office certificates; that they be countersigned by the auditor general for the time being, and that in transacting this business he govern himself by the rules prescribed to the commissioners of the other loan-offices; and have for his trouble the same allowance.

*Resolved*, That this Congress will to-morrow resolve itself into a committee of the whole, to take into consideration the state of the treasury, and the means of supporting the credit of the continental currency.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, January 16, 1777.

*Resolved*, That Mr. Paine be added to the committee last appointed to hear appeals.

*Resolved*, That a warrant for 100,000 dollars in favour of James Mease, for public service, be drawn and sent to the treasurer; that sum having been advanced by the treasurer on the 11th of December last to the said Mease by order of Mr. Nelson:

That a warrant for 26.60 dollars be drawn in favour of John Norman, for a rolling press; that sum having, on the same day above mentioned, been advanced by a like order:

That a warrant for 10,000 dollars be drawn in favour of Carpenter Wharton, for public service; that sum having been paid by the treasurer on the said 11th of December to



James White, assistant deputy commissary, by order of Mr. President, issued in pursuance of a letter from said Carpenter Wharton.

*Resolved*, That 365 dollars be paid to George Ross, esquire, and charged to colonel Moses Hazen; the same being in full of an order in his favour drawn by lieutenant colonel Edward Antill, for the recruiting service of colonel Hazen's regiment, dated January 6, 1777.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That general Washington be directed to propose to general Howe that a commissary be appointed on behalf of the United States to furnish the American prisoners of war, captivated by the British army, with such necessities as they may want; and if such commissary be allowed to reside among the prisoners, that general Washington appoint a suitable person for the purpose, until an exchange can be effected:

That the continental agents in the middle and eastern departments be directed to furnish the commissary of cloathing with an account of what cloaths or materials for making cloaths they have in their custody, and that they send forward such cloathing to the order of the said commissary of cloathing, to be distributed agreeable to the directions of general Washington among the troops in the several departments, in such proportions as he shall think proper: and that the general be requested particularly to attend to the wants of the state of New-York, which from its peculiar situation, is precluded from the means of procuring cloathing and necessities for the troops raised there:

That a copy of the letter from the convention of New-York, dated at Fish-Kill, 28th of December last, be sent to general Washington; and that he be empowered to take such order in the several matters therein contained as he shall think best; and that a letter be written to the said convention, informing them of what Congress has done in compliance with their several requests:

That so much of the letter from the convention of New-York as relates to the defence of Hudson's river, by means of the frigates or otherwise, be referred to the marine committee:

That the convention of New-York be informed that Congress highly approve of their spirited exertions for the defence of their own and the state of New-Jersey against the desolation and ravages of our cruel and remorseless enemy; and that Congress have received the address of the said convention to the people of that state, containing sentiments highly

highly and generally interesting to the inhabitants of these states, to whose serious perusal and attention it is earnestly recommended; and that the same be translated into the German language and printed at the expence of the continent:

That Mr. Lewis be directed to have the said address translated and printed.

*Resolved*, That a committee of seven be appointed to enquire into the conduct of the British and Hessian generals and officers towards the officers, soldiers, and mariners in the service of the United States, and any other persons, inhabitants of these states, in their possession, as prisoners of war, or otherwise, and also into the conduct of the said generals and officers and the troops under their command towards the subjects of these states and their property, more especially of the states of New-York and New-Jersey.

The members chosen, Mr. Chase, Mr. Witherspoon, Mr. Clark, Mr. Lewis, Mr. Ross, Mr. Heyward, and Mr. Smith.

The committee of treasury reported that there is due to Abraham Simons, for the hire of Ludwick Neal's waggon, in the service of the Virginia light-horse, the sum of 15 pounds, Virginia money, equal to 50 dollars.

To John Blackburn, for the hire of Thomas Allen's wagon, in the service of the Virginia light-horse, the sum of 47.82 dollars:

*Ordered*, That the said accounts be paid.

*Resolved*, That the appointment of a paymaster in Baltimore be postponed till Saturday next.

*Ordered*, That the oath of fidelity be published.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, January 17, 1777.

A letter of the 10th from brigadier Lewis; and one of the 12th from William Aylett, deputy commissary-general in Virginia, were read;

*Ordered*, That the letter from deputy commissary Aylett be referred to the board of war.

*Ordered*, That Mr. President return an answer to brigadier Lewis, and inform him that Congress desire him to continue in Virginia; and that he has liberty to visit his family, provided the public service will admit.

A letter, with a number of papers, from doctor Morgan was laid before Congress, and referred to the medical committee,

*Resolved*, That 300,000 dollars be sent to the paymaster-general for the use of the army:

That

That 40 dollars be paid to Guillaume de Luce, to defray the expences of his journey to the army under general Washington.

*Resolved*, That two members be added to the committee of intelligence; and that the said committee be directed to publish an authenticated extract of the last letter from general Washington:

The members chosen, Mr. Heyward, and Mr. Serjeant.

Congress being informed that six companies of Maryland militia, under the command of colonel Murdock, consisting in the whole of 101 privates without arms, and 53 commissioned and non-commissioned officers are in this town, waiting the orders of Congress,

*Resolved*, That Congress approve of the alacrity and spirit of the said militia; but considering that such a great disproportion of officers and men is utterly inconsistent with military order and arrangement, and that encouraging such an example, might involve these United States in great expence, and not having a sufficient number of arms at present to equip them and the troops to be raised on the new establishment, order that the said companies be discharged and paid, and that 1000 dollars be lodged with Mr. Jonathan Hudson, for the purpose of paying these troops, and the two companies of the said battalion which are expected in town.

Sundry resolutions respecting the laying up of magazines of provisions, being moved and seconded,

*Ordered*, That they be referred to a committee of three:

The members chosen, Mr. Sherman, Mr. Chase, and Mr. Gerry.

*Ordered*, That the secret committee lay before Congress a list of the articles which they have ordered in consequence of the directions of Congress, distinguishing how much is arrived and what is expected.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *January 18, 1777.*

General Gates, to whom the sentence of the court-martial held at Crown Point in July last upon the conduct of colonel Campbell, was referred, having reported that he has considered the same, and is of opinion that colonel Donald Campbell, deputy quartermaster general in the northern department, does not deserve to be cashiered for the crime alledged against him in the general court-martial referred to:

*Ordered*, That a copy of the above be sent to general Washington:

That

That the memorial formerly received from colonel Campbell, with the papers inclosed, be referred to a committee of three :

The members chosen, Mr. Ross, Mr. Whipple, and Mr. Adams.

*Resolved*, That 6000 dollars be advanced to colonel Mackoy, for the purpose of paying the non-commissioned officers and privates of his battalion ten dollars bounty, in addition to the ten dollars advanced them on their first enlistment, provided they will re-enlist to serve for three years, or during the war, agreeably to former resolutions of Congress; colonel Mackoy to be accountable.

The board of war brought in a report which was taken into consideration; whereupon,

*Resolved*, That 100,000 dollars be sent to governor Trumbull for the purpose of recruiting the continental army in the state of Connecticut :

That William Aylett, esquire, deputy commissary-general in Virginia, be directed to secure and safely keep for the continental use, all provisions, agreed to be furnished by the contractors in that state, agreeably to their several contracts; and that it be left to the governor and council of that state, to settle what compensation shall be given to the contractors by the ration for their trouble and expence in purchasing the said provisions.

*Resolved*, That Congress approve of the proceedings of their committee at Philadelphia, in supplying the recruiting officers appointed by the state of New-Jersey, with money; and also of their exertions in furnishing the paymaster-general, and Mr. Huntington with what cash they could procure to answer their immediate demands :

That one independent company, consisting of a captain, two lieutenants, one ensign, four serjeants, four corporals, one drum, one fife, and seventy-six rank and file, be forthwith raised for the continental service, for three years or during the war, and stationed in the borough of Lancaster as a guard over the prisoners of war, and public stores in that place, until they shall be ordered elsewhere :

That the officer commanding the said company afford to the committee of Lancaster, all necessary assistance to carry into execution the resolves of Congress :

That particular attention be paid to the enlisting of sober and discreet men into the said company :

That the committee of Congress in Philadelphia, be desired to inform the quartermaster-general, what number of horses and oxen in the public stables at Philadelphia are fit for service :

That



That they employ a careful person to distribute in the country such of them as are disabled, there to be recruited in the cheapest manner :

That the keepers of the continental stables admit no horses or teams to be received into, or taken out of the same, unless by order of a general officer commanding in the place where the stables are respectively kept, or of the quartermaster or deputy-quartermaster-general, or waggonmaster, or deputy-waggonmaster-general.

The board of war, to whom the case of major Painter was referred, reported, that upon enquiry into the matter of the uneasiness of some of the captains in colonel Seth Warner's regiment, at the appointment of Elisha Painter to be major of the said regiment, it appears to have proceeded from an opinion of their prior rank to him as captains, previous to said appointment, and that his continuance in the said regiment will probably obstruct the filling up the same, and be prejudicial to the service; whereupon

*Resolved*, That the said Elisha Painter be removed from any command in the said regiment, and referred to general Washington for an appointment to such an office as he shall judge him qualified to fill.

*Ordered*, That an authenticated copy of the declaration of independency, with the names of the members of Congress, subscribing the same, be sent to each of the United States, and that they be desired to have the same put upon record.

Agreeably to order. Congress proceeded to the election of a paymaster in Baltimore; and the ballots being taken,

Mr. Jonathan Hudson was elected.

*Resolved*, That the salary fixed for the assistant clerk of the board of war be continued to Mr. Nourse, and that an additional sum be allowed him at the rate of 266.60 dollars per annum, on account of his extraordinary expences.

The committee of treasury reported that there is due;

To George Ross, esquire, for the expences of himself; doctor Witherspoon, and Mr. Paca, a committee of Congress sent to New-Jersey; and for cash paid by him to Mr. Jacob Hyer for keeping an express horse at Princeton, 89.60 dollars:

To Robert Moore, for 13 walnut and 6 mahogany chairs, a desk and table, for the use of Congress and the president's office, 93 dollars:

To the reverend doctor John Witherspoon, for wood supplied the troops at Princeton; for the expences of sick soldiers; and the allowance due to John M'Kenzie, a prisoner

prisoner from North-Carolina ; from the 18th of October to the 10th of January, inclusive, being 12 weeks, 105.78 dollars :

*Ordered*, That the said accounts be paid.

*Ordered*, That the resolution appointing a committee of seven to enquire into the conduct of the British and Hessian officers, with regard to the treatment by them shewn to the prisoners in their possession, be published, with the names of the committee.

*Resolved*, That a storekeeper be appointed to take the charge and care of the continental stores in Maryland :

That Monday next be assigned for electing him.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, January 20, 1777.

A letter of the 12th from general Washington ;

One of the 16th from the committee of Congress at Philadelphia, with copies of sundry letters enclosed ;

One of the 27th December last from the honorable Meshech Weare, president, in behalf of the council and assembly of New-Hampshire ;

One of the 7th from general Schuyler at Albany ; and

One of the 2d from colonel A. Wayne at Ticonderoga ; were read :

*Ordered*, That the letters from general Schuyler and colonel Wayne be referred to the board of war :

That the letter from the honorable Meshech Weare be referred to the committee of treasury.

A letter of the 15th from brigadier general Armstrong and J. Wilson, esquire, was read and referred to the board of war.

Nathaniel Gift, esquire, being appointed by general Washington a colonel of a corps of rangers, and by him recommended to Congress for money to pay the bounty :

*Resolved*, That 3000 dollars be advanced to colonel Gift towards paying the bounty of his corps ; he to be accountable :

That a farther sum of 250 dollars be advanced to colonel N. Gift, to defray the expences of his journey to the Cherokee country, agreeable to orders received from the general ; for which colonel Gift is to be accountable.

The board of treasury, to whom the letter from the honorable Meshech Weare was referred, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That 100,000 dollars be advanced to the state of New-Hampshire, for the public service ; the said state to be accountable.

A motion being made and seconded for ordering barracks to be built,

*Ordered*, That it be referred to the board of war.

*Ordered*, That the board of war take into consideration the pay of the staff, and report thereon to Congress.

*Ordered*, That an extract of the letter from the committee of Congress at Philadelphia, respecting an expedition to the northward, be sent and referred to general Schuyler.

A letter of the 14th from the committee of Congress at Philadelphia ;

One of the 9th from general Washington at Morristown ;

One of the 3d from general Schuyler with a memorial from Bernard Moissac de la Marquisse, were read :

*Resolved*, That 400 dollars be advanced to John Griffith, for the use of the sick in the hospital in Baltimore ; he to be accountable.

*Resolved*, That a committee of three be appointed to examine the file of reports, and lay before Congress a list of the business unfinished, and which ought to be taken up :

The members chosen, Mr. Ellery, Mr. Ross and Mr. Hall.

That 750 dollars be advanced to the delegates of North-Carolina, for the use of that state, which is to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, January 21, 1777.

A letter of the 18th instant from Richard Bache, esquire, postmaster general, was received and read.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That colonel Grayson, and lieutenant colonel Innes, of colonel Mafon's regiment, to be raised in the state of Virginia, be immediately furnished with cloth for two hundred suits of cloaths, in order to expedite the raising of those regiments :

That the part of the 8th Virginia regiment now in South-Carolina be ordered back, and that colonel Muhlenberg be directed to recruit those companies, as well as such as are now in Virginia, to their full complement of men, and to march the companies as fast as complete to join general Washington :

That major Richard Campbell, who was appointed by general Lee in South-Carolina to act as major to colonel Muhlenberg's regiment until the pleasure of Congress should be known. be appointed to said majority, his commission to bear date the 10th of August last, the time he was appointed in general orders ;

That



That 300 dollars be advanced to major Richard Campbell, to enable him to discharge waggons and furnish the troops he has now with him on their way to camp, with shoes and such other necessaries as they may want; the said major Campbell to be accountable for the expenditure.

*Resolved*, That 10,000 dollars be paid to colonel William Grayson, for the purpose of recruiting his regiment, and that the same be charged to the account of William Palfrey, esquire; it being in full of a warrant drawn by general Washington in his favour on William Palfrey, dated Morristown, 11th January, 1777.

Application having been made to Congress by the friends of major West of the 3d Pennsylvania battalion, now a prisoner with the enemy, for an exchange of him for Mr. Jauncey, junior, and that if the exchange takes place Mrs. Jauncey be permitted to accompany her husband; and it appearing on consideration of this application, that the said Mr. Jauncey, junior, was removed to the state of Connecticut from New-York by direction of the convention of the said state of New-York;

*Resolved*, That the said application be referred to the convention of New-York, that they may do therein what shall be proper.

*Ordered*, That a letter be written to the council of safety of Maryland, earnestly recommending to them to appoint subaltern officers for the several companies raising by their order in their state, that the recruiting service may be expedited, and the men when raised properly trained.

*Resolved*, That Richard Stringer be appointed a signer of the continental bills of credit, in addition to those already appointed.

*Resolved*, That Angus Mac Donald, one of the North Carolina prisoners, be admitted to his parole, upon taking an oath after the mode observed in that part of Great-Britain called Scotland, in administering oaths, that he will observe the same:

That Mr. Middleton be impowered to take his parole, and administer the oath.

On application of colonel Macgruder for the directions of Congress,

*Resolved*, That the two companies of his battalion which have already marched, be directed to join the army under general Washington, and that any other companies of his battalion, consisting of not less than 36 privates, under the command of two commissioned officers, be also marched as soon as possible, and that a field officer take the command of every four companies.

*Resolved*,

*Resolved*, That it be recommended to the council of safety of Maryland to request the militia of Hartford, Baltimore, Cæcil, and such other counties of their state as they shall think proper, to march as soon as possible to reinforce general Washington, giving directions that each company consist of not less than 36 privates, under the command of two commissioned officers, and that a field officer take the command of every four companies.

The committee of treasury reported, that they have had under consideration the requisition of captain William Blackwell, for a sum of money to be advanced him, for the bounty and subsistence of his company in a Virginia regiment, under the command of colonel Rawlins, and that there should be advanced to the said colonel Rawlins, he to be accountable, the sum of 1477.85 dollars, and that the sum be delivered to the said captain Blackwell for the purposes aforesaid :

*Ordered*, That the said sum be advanced.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, *January 22, 1777.*

A letter of the 17th from the committee of Congress at Philadelphia was read :

*Resolved*, That 200,000 dollars be sent to the committee of Congress in Philadelphia, for public service.

A letter of the 13th from general Washington, inclosing copies of letters to lord and general Howe :

One of the 17th from the council of safety of Pennsylvania, with sundry papers inclosed ; were laid before Congress and read :

*Ordered*, That the same, and also the letter from the committee of Congress at Philadelphia, be referred to a committee of three :

The members chosen, Mr. Wolcott, Mr. S. Adams, and Mr. Gerry.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That a company be immediately raised on the new establishment in the state of Pennsylvania, to be stationed at and near Kittaning, to guard the public buildings and stores, and to protect the frontier inhabitants from the incursions of the Indians :

That Samuel Morehead be appointed captain of the said company :

Andrew Macfarlane, first lieutenant,  
William Jack, second lieutenant, and  
John Carnaghan, ensign :

That

That 1400 dollars be advanced to captain Morehead, to enable him to recruit the said company ; he to be accountable :

That Thomas Butler be appointed public armourer, and that he immediately repair to the city of Philadelphia to superintend the said business, agreeably to the resolve of the 19th of November :

That he be allowed three dollars a day for his pay and expences.

*Resolved*, That the allowance for subsistence of recruits while in quarters, till they join their respective regiments, and be supplied with rations, be raised to one dollar and one third of a dollar per week.

A petition from Bartholomew Burke and Hamilton Ballantine was presented to Congress and read :

*Ordered*, That it be referred to the board of war.

The committee on impressing carriages brought in a report, which was taken into consideration, and after debate,

*Ordered*, That it be re-committed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, January 23. 1777.

The marine committee having recommended captain Fulford to take the command of the armed brig Lexington ;

*Resolved*, That he be appointed to take the command of the said armed brig Lexington.

*Resolved*, That two frigates, one of 36, and the other of 28 guns, be immediately built in the state of Connecticut.

*Resolved*, That 2000 dollars be advanced to Mr. Jonathan Hudson, for the public service ; he to be accountable.

*Resolved*, That 41,640 dollars be advanced to colonel George Baylor, for the purpose of purchasing horses and paying the bounty of men for the regiment of cavalry he is ordered to raise, that the same be paid to major A. Clough, and charged to colonel Baylor, who is to be accountable.

The committee appointed to examine the files, &c. brought in a report, which was read ;

*Ordered* to lie on the table.

A letter of the 30th of December from the general assembly of Massachusetts-Bay, with fundry papers inclosed, was read.

Mr. Leonard Jarvis, whom John Bradford, esquire, agent for the United States in Massachusetts-Bay, has appointed an agent at Dartmouth, and who had the possession and charge of the continental stores imported in the Hancock and

and Adams, having by a letter of the 13th of December last informed the secret committee that at the recommendation of the general court of Massachusetts-Bay he has delivered out part of the arms to the militia who were called to stop the progress of the British troops, the arms to be returned when called for : and by a letter of the 14th of December last having farther informed the said committee, that in consequence of a vote of the general committee of the state of Rhode-Island, and of a letter from governor Cooke and Daniel Tillinghast, esquire, he has delivered to Mr. Fry, for the said Daniel Tillinghast, esquire, agent at Providence, six tons of lead, six casks of flints, forty-eight chests of arms, and two hundred and sixty barrels of gun-powder ; thereupon

*Ordered*, That the secret committee write to the agent at Dartmouth, and inform him they can by no means authorize their agents to deliver stores in their custody, except by orders of Congress, or persons by them authorized ; but that extreme necessity for arms and stores existing in the opinion of the general committee of the state of Rhode-Island, then invaded by a formidable army, may hold him excused for the arms and stores he delivered to that state, at their urgent request ; and that he may also be excused for the delivery of arms to the militia of the state of Massachusetts-Bay, in consequence of the recommendation of the general court of that state ; that at the same time they direct their agent to procure a return of them as soon as circumstances will admit.

The board of war, to whom a petition from monsieur Pillefier was referred, brought in a report ; whereupon

*Resolved*, That the said petition be referred to general Washington.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January 24, 1777.*

A letter of the 17th instant from John M'Kinley, esquire, speaker of the assembly of the state of Delaware, with sundry resolves of that assembly, was read :

*Ordered*, That the same be referred to the Committee of Congress at Philadelphia.

John Taylor, esquire, being appointed a major in colonel Hazen's regiment ;

*Resolved*, That a commission be granted to him, and that the same be dated the 13th of November, 1776.

*Resolved*, That 1000 dollars be paid to major John Taylor, for the purpose of raising recruits for the regiment  
in.



in which he is a major, and that the same be charged to the account of colonel Moses Hazen, this being in full of an order drawn by lieutenant colonel Edward Antill, of colonel Hazen's regiment, in favour of the said John Taylor, dated January 20, 1777.

The Congress resolved itself into a committee of the whole, to take into consideration the state of the treasury, &c. and after some time the president resumed the chair, and Mr. Nelson reported, that the committee have had under consideration the matters to them referred, but have as yet come to no resolution thereon :

There being no delegates in attendance from the state of Delaware, and one only from the state of New-York, who, according to the instructions given by that state to their delegates, is not empowered to give a vote :

*Ordered*, That Mr. President write to the states of New-York and Delaware, requesting them immediately to send to Congress a representation of their respective states, and to provide that for the future applications of this sort may be rendered unnecessary.

Whereas by a resolve of Congress of the 5th of November last, all accounts for services done, or articles supplied to the armies of the United States in New-York and New-Jersey, and in the northern department, are to be presented to the commissioners of accounts for the respective armies ; and so much thereof, as is approved by them, and confirmed by the respective generals, is ordered to be paid by their warrants on the paymaster, after the said commissioners have certified thereon, that the accounts and vouchers are returned to them by the persons receiving such warrants ; and whereas it may frequently happen, that the absence or engagements of the generals aforesaid may occasion a delay in ordering the payment of such accounts, whereby individuals having demands against the United States, may suffer inconveniencies ; it is therefore

*Resolved*, That the commander in chief in each department be empowered, when absence or hurry of business shall prevent his revising the accounts passed by the commissioners, to direct the paymaster to discharge such accounts upon certificates from the commissioners, observing to order the paymaster, when circumstances will permit, to lay the accounts and certificates before him, for his approbation, and to return them to the commissioners to be filed in their office.

*Resolved*, That if general Schuyler and general Gates be both absent from the northern department at the same

time that the paymaster there shall receive this resolution, the said paymaster be impowered and directed to discharge accounts upon the certificates of the commissioners, during such absence, and upon the return of either of the said officers, to lay the accounts and certificates before him for his approbation.

The committee to whom was referred the letter from the council of safety of Pennsylvania, with the papers therein inclosed, brought in a report, which was taken into consideration; whereupon Congress came to the following resolution:

Whereas Congress are informed that certain tribes of Indians, living in the back parts of the country, near the waters of the Susquehannah, who are within the confederacy, and under the protection of the six nations, the friends and allies of these United States, are upon motives friendly and peaceable, now on their way to Easton, in the state of Pennsylvania; and whereas, such may be the poor and necessitous circumstances of these Indians, as to demand the attention of Congress; it is therefore

*Resolved*, That the committee of Congress at Philadelphia, deliver to George Walton and George Taylor, esquires, or to either of them, 1000 dollars; who are directed to purchase therewith, such presents as may be suitable for the said Indians: and that one or both of them forthwith repair to Easton, and in the name of this Congress, inform the said Indians, that although in the opinion of Congress, it is altogether improper for them to kindle a council-fire at that place, as they have already done the same at Albany, where by their commissioners, they hold their councils, and communicate every matter of importance to their good friends the six nations, and their allies, of which these tribes are a part, yet in regard to the good and peaceable conduct of these nations, and in consideration of their wants, which this Congress are much inclined to relieve, and also in token of their friendship for them, as well as for all other Indians, who are at peace with these states, they the said George Walton and George Taylor, esquires, are directed to deliver these presents to them; and they are at the same time to signify to the said Indians, that this Congress have an entire confidence that the same peaceable and friendly conduct will be observed by them, which they have hitherto regarded.

*Ordered*, That the said messieurs Walton and Taylor be furnished with a copy of the foregoing resolution for their direction.

*Resolved*, That the pay of the commissary of military stores, to be appointed to take charge and care of the continental



continental stores in Maryland, be forty dollars per month :

That the delegates of Maryland direct the quartermaster to look out for a proper house, wherein to deposit the powder now in this town, belonging to the continent ; and that they desire the captain of the guard to see that a trusty guard be kept over the powder.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday,

M O N D A Y, *January 27, 1777.*

Congress met, and adjourned to 10 o'clock to-morrow.

T U E S D A Y, *January 28, 1777.*

The delegates of Maryland having reported that they have provided a suitable house in the country for the reception of the public powder ;

*Resolved*, That the said delegates be requested and empowered to agree with a captain and a proper number of men to guard the said powder when removed.

*Ordered*, That the board of war send forward from this town to general Schuyler, with all possible expedition, twenty tons of cannon powder and ten tons of pistol powder.

A number of letters and papers were laid before Congress and read ; viz.

A letter of the 21st instant from the committee of Congress at Philadelphia ;

One of the 17th from general Washington at Morristown ;

One of the 19th from general Putnam at Princetown to lord Stirling ;

One of the 22d, one of the 23d, and one of the 25th, from the committee of Congress at Philadelphia ;

One of the 18th and one of the 20th from general Washington at Morristown ;

One of the 13th and 15th from general Schuyler at Fish-Kill, inclosing a letter of the 3d to him from governor Trumbull ;

One of the 22d and one of the 26th from the council of safety of Maryland ;

One of the 6th from Joseph Trumbull, esquire, at Hartford ;

One of the 18th from Ebenezer Hancock, esquire ;

One of the 12th from governor Trumbull, with a copy of the minutes of a committee appointed by the four New-England states, who met at Providence on Wednesday the 25th of December 1776, and sat by adjournments, to the 2d of January, 1777 ;

One of the 13th from the council of Massachusetts-Bay ;  
 One of the 24th from lieutenant colonel Kirmovan ;  
 One of the 15th from brigadier De Roche Fermoy ; and  
 sundry letters from French officers :

*Ordered*, That the letters from brigadier De Roche Fermoy, and from the other French officers, be referred to general Washington, to do therein what he shall think the good of the service requires, without considering this reference as a recommendation in favour of any of the gentlemen applying.

That the letter from lieutenant colonel Kirmovan be also referred to general Washington.

A letter of the 12th from the committee of Frederick county, Maryland, and sundry papers inclosed, were read.

A letter from Mr. Bingham at Martinique, and sundry papers inclosed, were read ;

*Ordered*, That a copy of the inclosed papers be delivered to the delegates of Maryland to be laid before the assembly of their state ; and that the letter and papers be referred to a committee of three :

The members chosen, Mr. Wilson, Mr. Chase, and Mr. R. H. Lee.

Another letter from Mr. Bingham, recommending monsieur Celeron to the notice of Congress, was read and ordered to be referred to general Washington.

*Resolved*, That Friday next be assigned for taking into consideration the letters from the state of Massachusetts-Bay and governor Trumbull, and the minutes of the proceedings of the committee of the four New-England states,

*Resolved*, That the committee of Congress at Philadelphia be informed, that Congress from the committee's state of things do not discern the necessity of moving the public stores from that city : but if any circumstances should hereafter arise to render such removal proper, Congress desire the committee may do therein what they shall think most conducive to the public service.

*Ordered*, That the letter from general Schuyler be referred to the committee on the affairs of the northern department.

The secret committee informed Congress, that the brig Olive Branch, William Bayley master, was by the procurement of Francis Lewis laden at New-York with 718 barrels of flour, on account of the United States, as will appear by the bill of lading signed 26th February, 1776, directed to be delivered to Mr. Samuel Curson at St. Eustatia ; that captain Bayley, contrary to his orders, proceeded to Occoys on the island of Hispaniola, and there put the cargo

cargo into the hands of monf. Croix, who by feveral letters informed Mr. Curfon that he fhould remit faid Curfon the proceeds of the flour to St. Eufatia ; and in a letter from faid Curfon, dated St. Eufatia, 30th November 1776, is the following paragraph,—“ I have not received one farthing on account of the brig Olive Branch’s cargo. and God knows when I will :”—that captain Bayley, after landing the flour at Occoys, made a voyage for monf. St. Croix, to France, and back to Occoys, where the faid St. Croix loaded the brig, and proceeded with her to this port, where they both are at this time with the veffel, re-laden with provifions, &c. and ready to depart for Occoys : that captain Bayley pretends he has fold the brig to monf. St. Croix, and has taken his fingle promiffary note for payment ; but it is obvious they have been jointly trading on the public’s capital, and defrauding both the public and the owners of the brig ; that with the proceeds of the cargo fold here they have re-laden the brig with provifions, &c. and have a refidue of 2500l. cash in their hands ;

*Resolved*, That this matter be referred to the fecret committee, who are impowered to do therein what they fhall judge to be juft and right, and conduce to the public intereft.

*Resolved*, That a committee of three be appointed to take into confideration the ftate of Georgia.

The members chofen, Mr. Wolcott, Mr. R. H. Lee, and Mr. Clark.

The feveral matters to this day referred being postponed, adjourned to 10 o’clock to-morrow.

WEDNESDAY, *January 29, 1777.*

A letter of the 26th from the committee of Congress at Philadelphia ;

One of the 22d from general Washington at Morristown ;

And one of the 25th from general Mifflin, at Philadelphia ; were read :

*Ordered*, That the letter from general Washington be referred to the committee of intelligence, to publifh fuch parts as they may think proper ; and that they deliver it to the board of war, who are directed to report thereon.

*Resolved*, That 80 dollars be advanced to monf. Celerou, to bear his expences to general Washington.

*Resolved*, That the treafurer be directed to defire fuch of the figners of continental money belonging to this ftate, as have diligently applied themfelves to this bufinefs, (excepting fuch as may be field officers of the militia) to exert themfelves in fupplying the treafury : and that he

transmit a list of their names, and of the names of the superintendants of the press, to the council of safety of Maryland; who are requested to excuse them from military duty, while thus employed by Congress.

*Resolved*, That Mr. Wilson be added to the committee on the memorial of colonel Campbell, in the room of Mr. Rofs, who is absent.

*Resolved*, That the president inform the governor and council of Virginia, that Congress have not a sufficient certainty, that it will be in their power to arm the 2d and 7th battalions ordered from that state: and therefore request the said governor and council to send with all dispatch, the arms belonging to the said battalions, if it can be done consistently with the safety of their state.

Congress took into consideration the report of the committee for Indian affairs, to whom was referred a letter from the commissioners of Indian affairs in the middle department, dated the 21st of September last at Pittsburg; whereupon,

*Resolved*, That the commissioners for Indian affairs in the middle department, from the intelligence communicated to them, of the motions and preparations of some tribes of Indians, and from the dispositions of others, well known to be hostile, had cause to apprehend that an attack upon Pittsburg, or invasions into some parts of Virginia or Pennsylvania would be made by those savages, and therefore acted prudently in calling in forces for protection and defence.

The committee of treasury reported, that there is due to Thomas Smith, for sundry provisions, wood, &c. supplied the sick, and other continental troops at Wilmington, 1316.55 dollars:

To monf. Lotbiniere, a Canadian chaplain, for his pay and rations from the 10th of November, 1776, to the 10th of January, 1777, 82.60 dollars; to be paid to colonel Smith:

That there should be advanced to William Sterret, on account of his expences in going to and from the paper Mill in Pennsylvania, to attend the making of paper for the loan-office certificates, 30 dollars; he to be accountable.

*Ordered*, That these sums be paid.

*Resolved*, That John Griffiths provide the sick in the Hospital at Baltimore, with shirts and blankets; and that for this purpose he apply to the secret committee.

A petition from a number of the inhabitants of Westmoreland, and a letter from Thomas Cressap, were read and referred to the committee on Indian affairs.

*Resolved*,



*Resolved*, That the treasurer of the United States be directed to give order for the payment of 33,333.30 dollars to the state of Connecticut, out of the continental loan-office in that state, in payment of an equal sum advanced by governor Trumbull to Colonel Sheldon, at the request of general Washington, for raising and equipping a regiment of light horse; the said state to be accountable; and that the president acquaint general Washington with this resolution.

*Resolved*, That 450,000 dollars be advanced to general Mifflin for the public service; and that the treasurer be directed to give an order on the loan-office in the state of Pennsylvania for the payment of that sum.

*Resolved*, That doctor Mackenzie, who has the care of the sick in the hospital in Baltimore, be empowered to appoint a mate to assist him.

A letter from Carpenter Wharton was read, applying for an advance of a large sum of money; whereupon

*Resolved*, That the president inform Joseph Trumbull, esquire, commissary general, that there are various complaints against the conduct of Mr. Carpenter Wharton, his deputy: and desire him to enquire into the matter, and take such steps as he shall judge proper to prevent any loss accruing to himself or the public.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, January 30 1777.

The delegates from New-Hampshire produced credentials of their appointment, which were read, as follows:

“New-Hampshire. In the House of Representatives, December 24th, 1776. Voted, That colonel William Whipple, colonel Josiah Bartlett, and colonel Matthew Thornton be and they hereby are elected and appointed delegates to represent the state of New-Hampshire in the Continental Congress for the term of one year from the 23d day of January next; and that any one of them, in the absence of the others, have full power to represent this state; and that no more than two of them attend at one time.

“Sent up for concurrence. John Langdon, speaker.

“In Council, December 25, 1776. Read and concurred.

“Eben. Thompson, secretary.

“Copy, examined by Eben. Thompson, secretary.”

Mr. Mann Page, a delegate from Virginia, attended and produced the credentials of his appointment, which were read as follows:

“Virginia,

“ Virginia, ff. In the House of Delegates, December, 4, 1776. The house proceeded by ballot to the appointment of a delegate, to represent this state in general Congress, and the members having prepared tickets for the person to be appointed, and put the same into the ballot box ; Mr. Jefferson, Mr. Curle, Mr. Tazewell, and Mr. Prentis, were appointed a committee to meet a committee to be appointed by the senate, and jointly with them to examine the ballot-boxes, and report to the house upon whom the majority fell.

“ *Ordered*, That Mr. Jefferson acquaint the senate therewith.

“ The committee then withdrew, and after some time returned to the house, and reported that they had met a committee from the senate in the conference room, and had jointly with them examined the ballot boxes, and that the majority was in favour of Mann Page, junior, of Spottsylvania, esquire :

“ *Resolved therefore*, That the said Mann Page, esquire, be appointed a delegate, to represent this state in general Congress, in the room of George Wythe, esquire, who is nevertheless impowered to continue to act in Congress, until the said Mann Page shall take his seat therein.

“ A copy. John Tazewell, C. H. D.

“ In the Senate, December 4, 1776.

“ The house proceeded by joint ballot, with the house of delegates, to the choice of a delegate to represent this state in general Congress, in the room of George Wythe, esquire, and the members having prepared their tickets, and deposited the same in the ballot-box, Mr. Bland, Mr. Lewis, and Mr. Cabell, were appointed a committee to meet the committee from the house of delegates in the conference chamber, and in conjunction with them to examine the joint ballots, and report the state thereof to the house ; and having made their report, it appears, that Mann Page, junior, esquire, of Mansfield, hath the greatest number of votes on the ballot :

“ *Resolved thereupon*, That the said Mann Page, junior, esquire, of Mansfield, be appointed a delegate to represent this state in general Congress, in the room of George Wythe, esquire :

“ A message from the house of delegates by Mr. Jefferson, that they have come to a resolution, authorising George Wythe, esquire, to retain his seat in Congress, until Mann Page, junior, esquire, shall take his seat therein, to which they desire the concurrence of the senate, and he delivered the same, and then withdrew :

“ And

“ And the said resolution being read,

“ *Resolved*, That the senate do concur with the house of delegates therein, and that Mr. Holt acquaint them therewith. A copy from the journals, John Pendleton, C. S.”

The board of war brought in a report which was taken into consideration ; whereupon

*Resolved*, That the reverend Samuel Kirkland be allowed the salary of 444 dollars, for the current year, to commence from the 11th day of November last, as missionary to the Indians, and that the sum of 300 dollars be paid him as a compensation for his extra-services and expences as chaplain and interpreter :

That the salary of Mr. James Deane, Indian interpreter, be increased to 300 dollars for the current year, to commence the 23d of November last :

That the pay of Thomas Spencer, blacksmith among the Indians, mentioned in general Schuyler's letter of the 7th instant, be referred to the commissioners of Indian affairs in the northern department, who are to make such addition thereto, as they shall think proper :

That the salary of Mr. Commissary Aylett and Jonathan Trumbull, esquire, deputy paymaster general of the northern department, be augmented to the sum of 75 dollars per month each :

That 200 dollars be paid to Josiah Throop, for his trouble and expence in bringing intelligence of a public nature, relative to the affairs of Nova-Scotia, and for other services.

*Resolved*, That Congress will on Saturday next take into consideration the most speedy and effectual means to furnish the new levies with arms.

*Resolved*, That a standing committee, to consist of five members, be appointed to hear and determine upon appeals brought against sentences passed on libels in the courts of Admiralty in the respective states, agreeable to the resolutions of Congress ; and that the several appeals, when lodged with the secretary, be by him delivered to them for their final determination :

The members chosen, Mr. Wilson, Mr. Serjeant, Mr. Ellery, Mr. Chase, and Mr. Sherman.

*Resolved*, That 300,000 dollars be sent to Jonathan Trumbull, esquire, deputy paymaster general of the northern department :

That 800 dollars be advanced to the delegates of Virginia, for the use of B. Harrison, esquire, deputy paymaster general in the southern department ; who is to be accountable :

*Resolved*,

*Resolved*, That 166,666.60 dollars be advanced to the state of Massachusetts Bay, by the continental treasurer's order on the loan-office in that state for the said sum, the said state to be accountable.

The committee to whom the report on impressing carriages was re-committed, brought in another report, which was taken into consideration ; and after debate

*Resolved*, That the same be re-committed, and that three members be added to the committee :

The members chosen, Mr. Chase, Mr. Sherman, and Mr. Wilson.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, *January 31, 1777.*

Congress being informed that general Armstrong is come to town with design to lay before them some matters of consequence :

*Ordered*, That the board of war confer with him, and that they meet him this evening at their office.

*Resolved*, That Samuel Stringer Coale, and Rinaldo Johnson be appointed signers of the bills of credit in addition to those already appointed.

A petition from John Darrel, and Luther Martin was read, setting forth, that the appeal against the decree on the libel " Job Pierce, &c. against the brig Phoenix," has by mistake been heard and determined by a different committee from that appointed to hear the same, and praying that the judgment may be set aside, and a new hearing granted ; whereupon

*Resolved*, That the judgment passed on this appeal be set aside for the reason above mentioned ; and that the hearing and determining the said appeal be referred to the standing committee of appeals.

A petition and remonstrance from a number of inhabitants of Somerset and Worcester counties, in the state of Maryland, was read :

*Ordered*, That the same be referred to a committee of three :

The members chosen, Mr. S. Adams, Mr. Wilson, and Mr. R. H. Lee.

*Resolved*, That a committee of four be appointed to consider what honours are due to the memory of the late general Warren, who fell in the battle of Bunker's-Hill, the 17th of June 1775 ; and of general Mercer, who died on the 12th instant, of the wounds he received on the 3d of the same month, in fighting against the enemies of American liberty, near Princeton : The



The members chosen, Mr. Rush, Mr. Heyward, Mr. Page, and Mr. S. Adams.

A memorial from Nathaniel Rumsey, late a captain in the first battalion of Maryland regulars, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That the secret committee send no more of the scarlet cloth in their possession, to Virginia, than will be sufficient for facing of the cloaths ordered for the Virginia troops.

The delegates of Pennsylvania having recommended

Jacob Weaver for captain,

Edward Cowan for first lieutenant,

William Feltman for second lieutenant, and

Andrew Bachensnore for ensign, of the company of infantry ordered to be raised on the 18th instant :

*Resolved*, That commissions be granted to them accordingly.

*Resolved*, That 1400 dollars be advanced to captain Jacob Weaver, for the purpose of raising his company ; he to be accountable.

Congress resolved itself into a committee of the whole, to take into consideration, the letter of the 12th from governor Trumbull, and the minutes of the committees from the four New-England states ; and after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee reported from the committee, that they have had under consideration the matters to them referred, but not having come to a conclusion, desired leave to sit again :

*Resolved*, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the letter from governor Trumbull, and the proceedings of the committees from the four New-England states.

*Ordered*, That the secret committee deliver to colonel Gift, of Maryland, 1500 yards of linen, or as much as will be sufficient for 600 soldiers shirts, for the use of the soldiers of his battalion.

The committee of treasury reported that there is due :

To doctor Samuel Mackenzie, for sundry medicines purchased by him for the use of the hospital in Baltimore, 86.74 dollars :

To doctor John Hindman, for sundry medicines supplied by him for the use of colonel Richardson's battalion of Maryland forces, 20.6 dollars :

To captain Henry Dearborn, for fire arms belonging to the privates of his company, and which were lost at the attack of Quebec, and for his extraordinary services, 260.60 dollars :

*Ordered*,

*Ordered*, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February 1, 1777.*

A letter of the 28th January from James Scott, captain of a company of volunteer militia from Fauquier county in Virginia, was read, wherein he informs Congress that he has raised a volunteer company, consisting of a captain, two lieutenants, an ensign, four serjeants, four corporals, a drum, a fife, and sixty-four privates, to serve where ordered three months from the time of their march, and desires orders and one month's advance :

*Resolved*, That captain Scott, with his company, be taken into continental pay on the terms proposed :

That 700 dollars be advanced to captain James Scott, for the use of the said company ; captain Scott to be accountable :

That the board of war direct captain Scott to march immediately with his company and join general Washington.

The committee to whom was referred the petition and remonstrance from the inhabitants of Somerset and Worcester counties in the state of Maryland, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the said petition and remonstrance, with the depositions accompanying the same, be forthwith transmitted to the general assembly of the state of Maryland :

That the said general Assembly be earnestly requested to send a sufficient number of their artillery and militia effectually to suppress the tories in the counties of Somerset and Worcester, and to seize and secure the persons mentioned in a list to be transmitted with these resolves, and all others in the said counties who shall appear to have been the leaders of the tory faction there :

That it be recommended to the general assembly aforesaid to direct that a day be given to all the inhabitants of the said counties to assemble at appointed places, and take the oath of allegiance required by the said state, and that all who shall refuse or neglect so to do be disarmed :

That general Smallwood be, and he is hereby, required to assist in executing the orders of the said assembly for the purpose aforesaid :

That this Congress will afford one battalion, or more if requested by the said assembly, for the said purpose :

That the said assembly be requested to cause all offenders as aforesaid to be brought to immediate trial agreeably to the laws of the said state.

*Ordered,*

*Ordered*, That the president write to general Smallwood, and inform him it is the direction of Congress that he call to his assistance any continental officers and troops he shall think proper.

*Resolved*, That Saint George Peale be appointed a signer of the bills of credit, in addition to those already appointed.

Congress proceeded to the election of a commissary of military stores in Maryland, and the ballots being taken,

Mr. Saint George Peale was elected.

The committee on the northern department brought in a report, which was taken into consideration; whereupon

*Resolved*, That Congress approve of general Schuyler's proposal for purchasing the cloathing and arms of a troop of horse formerly raised in Schenectady, mentioned in his letter of the 13th of January:

That the paymaster in the northern department be directed to render a particular account to Congress of the sums of money that have been paid into his hands in specie, and of his expenditure of the same.

*Resolved*, That the second paragraph of the report be postponed for farther consideration.

The several matters to this day referred being postponed adjourned to 10 o'clock on Tuesday next.

#### TUESDAY, February 4, 1777.

Mr. John Adams and Mr. Lovell, delegates from Massachusetts-Bay, attended and took their seats.

Mr. Burke, a delegate from North-Carolina, attended and produced the credentials of his appointment, which were read as follows:

"North-Carolina. In Congress, December 20, 1776.

*Resolved*, That William Hooper, Joseph Hewes, and Thomas Burke, esquires, be, and they are hereby, appointed delegates to attend the Congress of the United States of America in behalf of this state, until such time as the general assembly shall direct otherwise; and they are invested with such powers as may make any act done by them or any of them, or consent given in the said Congress in behalf of this state, obligatory upon every inhabitant thereof.

"By order, Cornelius Harnet, president.

"James Green, junior, secretary."

A letter of the 30th of January from the committee of Congress at Philadelphia;

One of the 26th of the same month from general Washington at Morristown; and

One of the 21st from Daniel Joy at Philadelphia to the committee of Congress; were read.

A letter

A letter of the 23d of December from Cornelius Harnet, president of the convention of the state of North-Carolina, together with a memorial from the said convention, and a deposition of Emperor Mosely, respecting the capture of the brig Joseph, by the schooner Eagle, Brasilla Smith, commander, and an invoice of the cargo on board the said brig, at the time of the capture, were laid before Congress and read :

*Ordered*, That they be referred to a committee of three, and that the letters on this subject formerly committed to the marine committee, be referred to this committee :

The members chosen, Mr. Wilson, Mr. Hall, and Mr. Serjeant.

A letter of the 3d from the council of safety of Maryland, was read.

*Resolved*, That Joseph Gaither be appointed a signer of the bills of credit, in addition to those already appointed.

*Ordered*, That the letters from the committee of Congress, general Washington, and Daniel Joy, be referred to the board of war.

A memorial from doctor Thomas Young was read :

*Ordered*, That it be referred to the medical committee.

A memorial from Nathaniel Donnel was read :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That it be recommended to the council of safety of Maryland, to cause the Tories in the counties of Somerset and Worcester to be disarmed as quickly as possible ; and the provisions to be removed from those counties, that have been collected there for public use.

The committee on the state of Georgia, brought in a report, which was read.

*Resolved*, That Mr. Burke of Jamaica, who has applied to Congress to be taken into the service of the United States, be referred to general Washington :

*Resolved*, That doctor Burke be added to the medical committee ; and that he be appointed a member of the marine committee in the room of Mr. Hooper.

*Ordered*, That Mr. Hooper have leave to return home.

Congress resolved itself into a committee of the whole, to take into consideration the letter from governor Trumbull, and the proceedings of the committees from the four New-England states, and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matters to them referred, but not having come to a conclusion, desired leave to sit again :

*Resolved*, That Congress will to-morrow resolve itself into



into a committee of the whole, to consider farther the letter from governor Trumbull, and the proceedings of the committees from the four New-England states.

A letter of the 1st from the committee of Congress at Philadelphia, was read.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, *February 5, 1777.*

A letter of the 2d from the committee of Congress at Philadelphia, was read :

Also a resolution entered into by the officers of the Baltimore town battalion, was laid before Congress :

*Ordered,* That it be referred to the board of war.

A letter from general Putnam, with a number of papers enclosed, and a letter from the North-Carolina prisoners were read :

*Ordered,* That they be referred to the board of war.

*Resolved,* That Mr. Hudson, the paymaster in Baltimore, be directed to settle with colonel Gift, and pay such of his men, as are enlisted to serve three years, or during the war, up to the 10th of this month, and also to pay the Virginia troops on their march to general Washington, the arrearages of pay due to them ; and that he transmit an account of what he pays to the paymaster general, in order to regulate the future pay of the said troops.

*Resolved,* That 20,000 dollars be advanced to Mr. Jonathan Hudson, for the public service ; he to be accountable.

A letter from Henricus Godet, of Eustatia was read :

*Ordered,* That it be referred to the secret committee, and that they return an answer.

A memorial of Gotleib Klose, a native of Silesia, and late a missionary from the united brethren to the negroes in the island of Jamaica was read ; setting forth, that he was taken on his passage to Bristol, in the snow Thomas, T. Nicholson master, by the continental cruiser Andrew Doria, and praying that his effects, consisting of the tools of his trade and cloathing may be restored to him ; whereupon

*Resolved,* That the prayer of the memorial be granted.

A petition from Edward Southouse was read :

*Ordered,* That it be referred to a committee of three :

The members chosen, Mr. J. Adams, Mr. Sherman, and Mr. Chase.

A petition from the shipwrights at Fell's Point was read :

*Ordered*

Ordered to lie on the table.

*Resolved*, That a brigadier be appointed for the troops in North-Carolina, and that his rank be determined when the other general officers for the army are elected;

The ballots being taken,

Francis Nash, esquire, was elected.

The marine committee having recommended captain Henry Johnson to the command of the Lexington, in the room of captain Fulford, who, as they inform, has declined :

*Resolved*, That a commission be granted to him accordingly.

*Resolved*, That Elijah Bowen be appointed first lieutenant of the said brig Lexington.

*Resolved*, That brigadier Moore be directed to detach into the different parts of North-Carolina, recruiting officers, and that he be careful to select such for that purpose as are well acquainted and esteemed in that state :

And in order to expedite this important purpose of recruiting the army,

*Resolved*, That brigadier Nash use his personal influence in the western parts of that state, and by every means in his power stimulate the inhabitants to enlist, and urge the recruiting officers to be active in their duty, as it is a matter of much importance to the common cause that the six regiments formerly raised in North-Carolina should be filled up, and the three lately ordered, recruited to their full complement, before the 15th day of March next.

*Resolved*, That brigadiers Moore and Nash, proceed with the nine continental regiments raised and directed to be raised in the state of North-Carolina, to join general Washington; and that they begin the march from South-Carolina of such of the said nine regiments as shall be then there, on the 15th day of March next, and of such continental troops as shall be in the state of North-Carolina, as soon as they shall be joined by the regiments which are ordered as aforesaid from South-Carolina. That the troops be marched by regiments or parts of regiments, as the commanding officer shall judge best.

*Resolved*, That the governor of the state of North-Carolina, and the executive powers of the several states, through which such troops shall march on their way to head quarters, be requested to render them every assistance in their power, to expedite their progress ;

That brigadier Moore be empowered to draw upon the deputy paymaster general of the southern department, for such sums of money as shall be necessary to procure supplies

supplies for the said troops, until they join the continental army; and that all commissaries and quartermasters in the continental service, who shall be in the states through which they pass, contribute their best endeavours to aid in carrying this resolve into execution with all possible expedition.

The board of war, who were directed to confer with general Armstrong reported, that they have had a conference with him; that the conference turned upon various and important subjects, relative to the raising the new army, supplying them with arms, ammunition, cloathing, provisions, and medicines:

*Ordered*, That the board of war digest the said conference, and bring in a proper report on the several matters mentioned, saving what relates to medicines.

*Resolved*, That the medical committee be impowered to employ a suitable person in each of the states, to purchase such medicines as they shall direct, for the use of the army, which can be procured at any reasonable rates.

*Ordered*, That the said committee enquire what is become of the medicines which doctor Morgan took from Boston, and which doctor Stringer bought for the northern army, and take measures to have them secured and applied to the use of the army.

*Resolved*, That three members be added to the committee on Indian affairs;

The members chosen, Mr. Page, Mr. Lovell, and Mr. Burke.

*Resolved*, That Mr. Thomas Cummings be appointed and impowered to supply the continental troops in the state of Maryland with rations on the most reasonable terms he can, till the farther orders of Congress.

*Resolved*, That William Aylett, esquire, deputy commissary general, be directed forthwith to purchase, with as much secrecy as possible, and lay up in proper magazines, convenient to water carriage, under the care and management of trusty storekeepers, a quantity of good merchantable Indian corn, not exceeding ten thousand barrels.

*Resolved*, That 500,000 dollars be advanced to the state of North-Carolina, upon a warrant from the governor of the said state for that sum, the said state to be accountable.

*Resolved*, That the commissioners at the court of France be directed to use their utmost endeavours, to send without delay 80,000 blankets, 40,000 complete suits of cloaths, for soldiers, of green, blue, and brown colours, with suit-

able facings, and cloth of the same colours, with trimming sufficient for 40,000 suits more, 100,000 pair of stockings, fit for soldiers, 1,000,000 of flints, and 200 tons of lead, in armed vessels, to such ports of the United States, as the secret committee shall direct; that they pledge the faith of the United States for complying with their contracts; that the several States be requested to order their armed vessels into the service of the United States, under the direction of the secret committee; that they be allowed a reasonable compensation for the use thereof, with the appraised value of such as may be lost: and that one of the new continental frigates, with the armed vessels which may be furnished by the respective states, be employed by the secret committee, to export produce and import military stores for the next campaign.

*Resolved*, That a committee of three be appointed to consider the extraordinary service of the reverend Mr. Caldwell, of New-Jersey, and report what compensation should be made him:

The members chosen, Mr. Clarke, Mr. Hall, and Mr. Page.

Congress resolved itself into a committee of the whole, to consider the letter from governor Trumbull, and the proceedings of the committees from the four New-England states; and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matters to them referred, and have come to a resolution thereon, which he was ordered to deliver when Congress is ready to receive it:

*Ordered*, That it be now received.

The report from the committee of the whole Congress being read,

*Ordered*, That the consideration thereof be postponed.

*Ordered*, That the proceedings of the committees from the four New-England states, which were under the consideration of the committee of the whole Congress, be referred to a committee of five:

The members chosen, Mr. R. H. Lee, Mr. Wilson, Mr. Chase, Mr. J. Adams, and Mr. Sherman.

*Resolved*, That the warrant of general Washington, for 5000 dollars, in favour of colonel Hartley, be paid and charged to the account of the paymaster general, and that an account thereof be transmitted to the said paymaster general.

*Resolved*, That the arrears of pay due to brigadier Armstrong's brigade major, be paid, and charged to the account



count of the paymaster general, and that he be informed thereof.

The several matters to this day referred being postponed, adjourned to 10 o'clock to morrow.

THURSDAY, February 6, 1777.

*Resolved*, That two members be added to the board of treasury:

The members chosen, Mr. Page and Mr. Elmer.

A number of copies of the address from the convention of New-York, to their constituents, translated into the German language, were sent to Congress:

*Ordered*, That they be delivered to the board of war, who are directed to have them distributed.

The board of war brought in a report, which was taken into consideration: whereupon

*Resolved*, That colonel H. Hollingsworth continue to supply the troops passing through the Head of Elk with provisions at the usual rates:

A motion being made and seconded,

*Ordered*, That it be referred to a committee of five:

The members chosen, Mr. J. Adams, Mr. R. H. Lee, Mr. Serjeant, Mr. Sherman, and Mr. Heyward.

*Resolved*, That 400 dollars be advanced to Mr. Robert Cummings for public service; he to be accountable.

*Resolved* That 6000 dollars be advanced to brigadier Smallwood, for the purpose of paying the arrearages due to his late battalion; he to be accountable.

*Ordered*, That the secret committee deliver to colonel Stone, for the use of his battalion, 1050 yards of linen and cloth proper for facings for his soldiers cloaths.

Congress took into consideration the report of the committee on the state of Georgia; whereupon

*Resolved*, That a supply of arms and cloathing for the continental battalions in Georgia ought to be furnished as expeditiously as possible:

And as that state is in the neighbourhood of numerous and powerful nations of Indians, it is an object of important consideration to cultivate their friendship and secure peace with them; and this is rendered more necessary by the contiguity of those nations to the colonies of East and West Florida, from whence the agents of the king of Great-Britain are perpetually stimulating the savages to make war upon the people of Georgia; therefore

*Resolved*, That the secret committee be directed to procure for the defence of Georgia a supply of arms and cloathing for the continental forces raised as the quota of

that state, and that they also procure goods for carrying on the Indian trade to the amount of 10,000 dollars, in addition to the 20,000 dollars advanced by the secret committee to Mr. Gwinnet for that purpose, which goods may be delivered either at Charles Town in South-Carolina, or in Georgia, for the use of the continental Indian commissioners of the southern department, to be employed in securing the friendship of the southern Indians.

*Resolved*, That as soon as the artillery companies already ordered to be raised in Georgia are completed, an additional company of artillery be raised on the continental establishment for the state of Georgia, to consist of one captain, two lieutenants and fifty privates.

*Ordered*, That the board of war direct colonel Buchanan, whose battalion is under orders to march to general Washington, to proceed immediately with his battalion to Somerset and Worcester counties, to suppress the insurgents in those parts; and that the said board hasten with all expedition the march of colonel Gist with his battalion.

The committee appointed to consider the proceedings of the committees from the four New-England states, brought in a report, which was read :

*Ordered* to lie on the table.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

F R I D A Y, *February 7, 1777.*

A letter of the 6th from the council of safety of Maryland, inclosing a deposition of William Patterson, was read.

*Resolved*, That the commanding officer of the 2d Virginia battalion in Baltimore be directed to proceed with the troops under his command to Somerset and Worcester counties on the eastern shore, to assist in quelling and bringing to justice the insurgents in those parts, and having performed that business, to proceed immediately with his troops to general Washington.

*Ordered*, That the board of war supply the troops of the 2d Virginia battalion with arms and necessary accoutrements.

Mr. Buller Clairbone, Mr. Joseph Scott, and Mr. Spotswood Dandridge, who were appointed captains of the artillery battalion ordered to be raised in Virginia, having declined that service, Congress proceeded to the election of three captains to supply their places, and the ballots being taken,

Mr. Anthony Singleton, Mr. John Winster, and Mr. Jacob Walker were elected.

*Resolved*, That an extract of governor Trumbull's letter  
of

of the 12th of January, so far as it relates to the pay of the Connecticut light horse who served last campaign, be transmitted to general Washington, and that he be directed to settle their pay, and give orders for the payment.

*Resolved*, That 1100 dollars be advanced to the committee of secret correspondence for public service; they to be accountable.

*Resolved*, That Monday se'nnight be assigned for electing general officers.

*Resolved*, That Zachariah Maccubin be appointed a signer of the bills of credit, in addition to those already appointed,

Mr. Lux and Mr. Purviance, who were appointed by the board of war to examine the accounts of Thomas Nichols, having reported, that it appears by the treasurer's books, that the said Nichols received 533.30 dollars, and that he has paid 54.65 dollars, and that there is a balance of 478.55 dollars due from him:

*Ordered*, That Mr. Lux and Mr. Purviance be requested to receive from the said Nichols, the said balance of 478.55 dollars.

*Ordered*, That the said Thomas Nichols, alias Dudley, who is in custody on suspicion of mal-practices, be confined till farther orders.

The committee of treasury reported, that there is due to Gerard Hopkins, for six chairs and a pine table for the use of the treasury office, 24.60 dollars:

To Anthony Dearing, for the hire of his team 14 days in the service of the second Virginia battalion, on their march to join general Washington, 35 dollars:

To Francis Lewis, esquire, for cash he paid ensign John Gaffway, for the support of sick soldiers on the road, belonging to the battalion late colonel Smallwood's, 6 dollars:

To James Calhoun, esquire, chairman of the committee of observation of Baltimore county, for cash he paid to Mr. James Buchanan, for the reward of 45 pounds for taking up Alexander M'Cleod, Daniel M'Cleod, and Murdock M'Castle; three of the North-Carolina prisoners, who broke jail, and for the expences of bringing them from Broad Creek in Suffex county to Baltimore, the sum of 215.52 dollars:

That they have examined the accounts of John Montgomery, and Jasper Yates, esquires, commissioners of Indian affairs in the middle department, for the pay and part rations of the militia of West Augusta county, in Virginia, and Westmoreland county in Pennsylvania, who

marched to Pittsburg, previous to the late Indian treaty, for their services 21 days; and Mr. Yates's expences for that time, amounting to £ 1505 13s. 8d. That the said commissioners expended on their return to Pittsburg with the Indian chiefs who visited Congress at Philadelphia, £.92 15s. 10d. the whole amounting to £.1598 9s. 6d. of which they received on account of Indian expences, the sum of £ 100; and that there remains a balance due to them of £.1498 9s. 6d. equal to \$995.84 dollars:

That there should be paid to the honourable Roger Sherman, esquire, for the hire of Edward Whitmore's waggon, and two horses taking seven Indians of the Penobscot tribe, from New-Haven to Marinec, £.6 8s. and for a horse belonging to John Pierpont, taken by the enemy in the above service, £ 10, both sums making £.16 8s. lawful money of New England, equal to \$4.60 dollars:

That there is due to Robert Aitkin, for paper, inkstands, quills, sealing wax, &c. for the use of the treasury office, the sum of \$37.41 dollars:

*Ordered*, That that the said sums be paid.

*Resolved*, That two members be added to the committee for printing the journals:

The members chosen, Mr. Whitherspoon and Mr. Lovell.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### SATURDAY, February 8, 1777.

A letter of the 4th from the committee of Congress at Philadelphia, one of the 31st of January from general Washington, at Morris-Town; one of the 3d instant from governor Livingston at Haddonfield, New-Jersey; one of the 31st of January from mess. Walton and Taylor at Easton; one of the 23d of January from general Schuyler at Albany, with sundry papers inclosed; and one of the 24th of the same month from D. Waterbury; were read:

*Ordered*, That they be referred to the board of war.

*Resolved*, That Dennis Griffith be appointed a signer of the bills of credit, in addition to those already appointed.

The committee of treasury reported, that they have examined the account of George Lindenberger, for conveying the Hessian officers and their servants, prisoners from Baltimore town to Dumfries in Virginia; and that his account amounts to the sum of £.192 12s. 3d. of which he received of the treasurer, £.112 10s. and that there is due to him a balance of £.49 11s. 9d. equal to \$32.21 dollars:

*Ordered*, That the said account be paid.

*Resolved*,



*Resolved*, That 12,600 dollars be paid to George Noarth, esquire, and charged to the account of William Palfrey, esquire, paymaster general, the same being in full of an order in his favour, drawn by the said William Palfrey, dated Newton, January 22, 1777.

*Resolved*, That 200,000 dollars be sent to the committee of Congress in Philadelphia for public service ; they to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *February 10, 1777.*

A letter of the 8th from the council of safety of Maryland, with sundry papers inclosed, relating to the insurrection on the eastern shore of Maryland ; one of the 3d from Southy Simpson of Accamac ; and one the 11th of December last from general Lee at Morristown, were read :

*Ordered*, That the letter from Southy Simpson be referred to the board of war.

*Resolved*, That it be recommended to the council of safety of Maryland, to prevent the sailing of all provision vessels, while the enemy's ships of war infest the bay, as there is the greatest reason to apprehend they cannot avoid falling into the possession of the enemy.

*Resolved*, That 400 dollars be advanced to James Betton, towards defraying the expences of carrying money to the eastern states, he to account with the state of New-Hampshire.

*Resolved*, That the committee of Baltimore be desired to send William Pigot, a prisoner, under a trusty guard to the town of York, in Pennsylvania, and deliver him with this order to the committee of York Town, who are desired to have the said William Pigot safely and securely confined in prison till farther orders.

A petition from colonel Duggan was read :

*Ordered*, That it be referred to the board of treasury.

A petition from Timothy Folger was read :

*Ordered* to lie on the table.

*Ordered*, That the board of war inform brigadier Smallwood by letter, that Congress have ordered such a number of troops as they judge necessary for suppressing the insurgents on the eastern shore of Maryland, and direct him to order the officers employed on the recruiting service, to apply themselves diligently to that business.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y,

TUESDAY, February 11, 1777.

A letter of the 6th from general Mifflin was read ; whereupon

*Resolved*, That 450,000 dollars be sent to general Mifflin in lieu of a like sum ordered to be paid him by a draught on T. Smith, esquire, commissioner of the loan-office, in the state of Pennsylvania ; and that the board of treasury use their utmost endeavours in preparing and forwarding this sum.

*Resolved*, That a committee of seven be appointed to devise ways and means of supporting the credit of the continental currency, and supplying the treasury with money :

The members chosen, Mr. Harrison, Mr. Burke, Mr. Sherman, Mr. Chase, Mr. Ellery, Mr. Middleton, and Mr. Brownson.

*Resolved*, That James Franklin and William Gibson be appointed signers of the bills of credit, in addition to those already appointed.

*Resolved*, That four members be added to the salt-petre committee :

The members chosen, Mr. Page, Mr. Thornton, Mr. Elmer, and Mr. Burke.

The board of treasury, to whom the petition of colonel Duggan was referred brought in a report which was taken into consideration ; whereupon

*Resolved*, That so much of the said petition as relates to the pay and subsistence of colonel Duggan be referred to the commanding officer in the northern department.

Information being given to Congress, that sundry officers complain of the conduct of colonel Haussegger ;

*Ordered*, That the board of war enquire into the nature of the charges against colonel Haussegger, and transmit the same to general Washington, with the names of the informants and witnesses to support the charges, and desire him to take speedy and effectual measures for bringing the said colonel Haussegger to trial.

The committee of treasury reported, that there is due to captain William Galbraith, for the hire of a guard on the Carolina prisoners in Baltimore, the sum of £.47 5s. 7d. and for the allowance to prisoners. being 13 in number, 17 days, from the 25th of January to the 11th of February inclusive, at 15s. per week, £.23 13s. 5d. both sums being £.70 19s. equal to 189.18 dollars :

To Thomas Rutter, for the expences of his guard of 11 men, himself included, in conducting prisoners from Baltimore to Leesburg, 70.43 dollars :

To

To William Lavelly, inn keeper, for entertaining Hessian officers and their servants while in Baltimore, 40.12 dollars :

To Charles Jones, quartermaster of the 7th Virginia regiment, for the hire of two teams, in bringing baggage to Baltimore. 73.55 dollars :

*Ordered*, That that the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, February 12, 1777.

A letter of the 6th from the council of safety of Pennsylvania was read ;

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That John Barney and Hans Creery be appointed signers of the bills of credit, in addition to those already appointed.

*Resolved*, That a committee of three be appointed to consider the most effectual means of discouraging and preventing desertions from the army ;

The members chosen, Mr. Chase, Mr. Serjeant, and Mr. R. H. Lee.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That a copy of the letter from Southy Simpson, written by direction of the committee of Accamac and Northampton counties, in Virginia, be sent to the governor and council of that state ; and that they be desired to station in those counties two companies of the troops raised for the particular defence of that state ; and in case such companies cannot be spared, brigadier Lewis is directed to send over two companies of continental troops.

*Ordered* That the second paragraph in the report be committed to the committee on desertions.

*Ordered*, That brigadier Waterbury be referred to the commissioners for settling the continental accounts in the eastern département, for a settlement of his accounts of monies expended on account of the intended expedition against the tories on Long-Island.

*Resolved*, That general Schuyler be impowered to make the most advantageous use of the salt springs mentioned in his letter of the 23d of January last ; to employ proper persons skilled in making salt, and to purchase boilers and other things necessary for the purpose :

That such parts of the said letter as relate to Indian affairs, be referred to the committee on Indian affairs.

*Resolved*, That general Washington be impowered to settle all matters of rank and pay among the officers of the

the Virginia and Maryland regiments, and to fill up and date their commissions as he shall think just and proper ; and that he also settle any disputes that may arise in the army respecting rank.

*Resolved*, That 8000 dollars be advanced to Mr. Thomas Cummins, commissary of provisions, for the purpose of supplying the troops going on the expedition to Somerset and Worcester counties ; and 1,500 dollars to colonel Henry Hollingsworth, for supplying the troops marching through the Head of Elk to join general Washington :

That 6,000 dollars be advanced to colonel M'Clenaghan, of the 7th battalion of Virginia troops, for the purpose of re-enlisting his men for three years, and recruiting his battalion.

*Ordered*, That the medical committee write, to general Washington, and consult him on the propriety and expediency of causing such of the troops in his army, as have not had the small-pox, to be inoculated, and recommend that measure to him, if it can be done consistent with the public safety, and good of the service.

*Ordered*, That Mr. Babcock who brought a letter from colonel Stewart, at Lebanon in Connecticut, respecting cannon, and other public business, be paid as an express.

The committee of treasury reported that there is due to Charles Jones, quartermaster of the 7th Virginia regiment, for forage supplied by him to the waggon horses attending the said regiment on their march to Baltimore, 59.41 dollars :

That they have examined the accounts of William Baufman, barrackmaster at Lancaster, being for sundry supplies of wood, &c. and for his and his son's pay, amounting to £.773 1s. 10d. of which he received £.500 from the committee of Lancaster county, and £.30 from the state of Pennsylvania, and there remains due to him a balance of £.243 1s. 10d. equal to 648.22 dollars :

*Ordered*, That the said accounts be paid.

The committee on the northern department laid before Congress a letter from colonel Stewart, who was sent agreeable to the orders of Congress, to procure cannon at Mr. Livingston's and Salisbury foundries, wherein he informs that there is a quantity of cannon at Salisbury foundry, which the governor and council of Connecticut are willing to dispose of to the continent, but demand the price of seventy pounds lawful money per ton for 18 and 9 pounders, and eighty pounds lawful money per ton for 6, 4, and 3 pounders ;

*Ordered*, That the committee aforesaid write to governor Trumbull and inform him of the contracts entered in-  
to



to by Congress; that they state to him the prejudice it will do those contracts, and the ill effects that must ensue to the continent, should so high a price be given for these cannon, and therefore request him to lend the cannon, which are much wanted for the defence of Ticonderoga, and assure him Congress will return them, or others in lieu of them as soon as possible.

*Resolved*, That Clement Brook and William Hammond, be appointed signers of the bills of credit in addition to those already appointed.

The committee appointed to consider the proceedings of the committees from the four New-England states, made a report, which, with the report of the committee of the whole, was taken into consideration; and after debate,

*Resolved*, That the farther consideration thereof be postponed,

The several matters to this day referred being postponed adjourned to 10 o'clock to morrow.

THURSDAY, February 13, 1777.

*Resolved*, That 15000 dollars be advanced to Mr. Jonathan Hudson for public service; he to be accountable.

*Resolved*, That Saturday next be assigned for taking into consideration the propriety of appointing commissioners to audit and settle the accounts of the several states against the continent, and of such of the said states as have received public money, in the eastern and middle departments.

*Resolved*, That James Walker, Horatio Johnson, and John Taylor, be appointed signers of the bills of credit, in addition to those already appointed.

*Resolved*, That 2000 dollars be paid to Benjamin Crocket, and charged to the account of colonel Moses Hazen, for the use of his battalion, the same being in full of an order of lieutenant colonel Edward Antil, in favour of the said B. Crocket, dated Wilmington, February 1777.

*Resolved*, That 100,000 dollars be advanced to the council of safety of Pennsylvania for the recruiting service; the said state to be accountable.

The committee on promoting the manufacture of salt-petre reported,

“ That they have had a conference with Jacob Robbamen, from which it appears that he has been very usefully employed for one year next preceding the 25th of December past, in the state of Virginia, in the manufacture of salt-petre, and the instruction of all persons applying to him

him in the process of making salt-petre, under a contract for that purpose with this committee : that in the execution of this business he has received nothing more than his expences ; and that it is the opinion of the committee that he is entitled to a farther reward ; whereupon

*Ordered*, That there be paid to the said Jacob Robsamen, the sum of 600 dollars, as a compensation for his extraordinary services in the prosecution of this important business.

The committee on Indian affairs, to whom a petition from divers inhabitants of the county of Westmoreland in Pennsylvania, and a letter from Thomas Cressap of Maryland, were referred, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That it would be improper and inexpedient to raise at present any more companies for the defence of the western frontiers, as there appears to be no immediate danger of an Indian war.

A letter of the 12th from the council of safety of Maryland was read.

The committee to whom the memorial of colonel Campbell was referred, made a verbal report ; whereupon

*Resolved*, That the commissioners for auditing accounts in the northern department be directed to make enquiry concerning the loss of colonel Campbell's baggage in the retreat of the army from Quebec, and to report to Congress a state of the facts and the evidence relating to them.

*Resolved*, That colonel Campbell be continued in his former pay and rank ; that he be directed to repair immediately to the commissioners for auditing and settling the accounts of the northern army, and settle with them the accounts of his late department.

*Resolved*, That a copy of general Lee's letter respecting captain Gibson be sent to general Washington, and that captain Gibson be recommended to the general for promotion in the army of the United States

The committee on the treasury reported,

That there is due to George M'Candles, for entertaining the Virginia light horse on their march to join general Washington, 66.66 dollars :

To Jacob Myers, for entertaining the Virginia light horse on their march to join general Washington, and for waggonage, his extraordinary expences and trouble, and taking care of the sick, 439.75 dollars :

To captain Henry Sheafe for the pay of a guard of militia over the prisoners from the 24th December to the 3d February, 118.54 dollars :

To Robert Jewell, for maintaining prisoners in the new jail of Philadelphia, and for the salary of himself and his two assistants to the 24th of January, 766.79 dollars :

To John Griffith, for sundry supplies of provisions, wood, &c. in the guard house and prison for prisoners, and for cash he paid for the support of Carolina prisoners in Baltimore, 301.15 dollars :

To John Gibson, esquire, for cash he paid to Michael Watman for the hire of his waggon bringing paper for continental money from Philadelphia to Baltimore, 38.6 dollars :

To Daniel Grant for provisions, firing, &c. to a guard over the treasury nine days by order of the board of treasury at Baltimore 22.26 dollars :

*Ordered*, That the said accounts be paid.

The committee on deserters brought in a report which was read.

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states, and after debate,

*Ordered*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, February 14, 1777.

A memorial from Thomas Erwing of Baltimore, was read ;

*Ordered*, That it be referred to the secret committee.

The medical committee brought in a report which was read ;

*Ordered* to lie on the table, and that the same be taken into consideration to-morrow.

*Resolved*, That Mr. R. T. Paine be impowered and directed to contract with colonel Gridley, for forty 8 inch iron howitzers, upon terms that he shall judge reasonable, and cause ten of them to be mounted and sent to Ticonderoga.

*Ordered*, That the board of treasury direct the managers of the lottery to send with all expedition tickets of the first class to the several states.

*Resolved*, That 500 dollars be advanced to captain Antoine Selin, towards raising major Ottendorf's corps, and that the same be charged to the account of major Ottendorf.

The board of war brought in a report which was read ;

*Ordered* to lie on the table.

A letter

A letter of the 5th from general Washington was read ;  
*Ordered*, That it be referred to the board of war

Congress resumed the consideration of the report of the committee on the proceedings of the committees from the four New-England states, and after debate,

*Ordered*, That it be re-committed

*Ordered*, That doctor Elmer have leave of absence, public business requiring his attendance at home.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, *February 15, 1777.*

A letter of the 10th from governor Henry was read ;

*Ordered*, That it be referred to the board of war.

*Ordered*, That the copy of general Howe's letter which was inclosed in general Washington's letter of the 5th, be referred to the committee appointed to enquire into the conduct of the British and Hessian officers.

The committee to whom was re-committed the report on the proceedings of the committees from the four New-England states, brought in another report, which was taken into consideration : whereupon

*Resolved*, That considering the situation of the New-England states, Congress approve of the measures adopted and recommended by the committees from the four New-England states, for the defence of the state of Rhode-Island ; and also of the measures to be taken for preventing the depreciation of their currency, except that part which recommends the striking bills bearing interest, which being a measure tending to depreciate the continental and other currencies, ought not to be adopted, and it is so recommended by Congress to the said New-England states :

That the plan for regulating the price of labour, of manufactures, and internal produce within those states, and of goods imported from foreign parts, except military stores, be referred to the consideration of the other United States : and that it be recommended to them to adopt such measures, as they shall think most expedient to remedy the evils occasioned by the present fluctuating and exorbitant prices of the articles aforesaid :

That for this purpose it be recommended to the legislatures, or in their recess, to the executive powers of the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland, and Virginia, to appoint commissioners to meet at York town in Pennsylvania, on the third Monday in March next, to consider of and form a system of regulation adapted to those states, to be laid before the respective legislatures of each state, for their approbation : That



That for the like purpose, it be recommended to the legislatures or executive powers in the recess of the legislatures of the states of North-Carolina, South-Carolina, and Georgia, to appoint commissioners to meet at Charleston in South-Carolina on the first Monday in May next :

That it be recommended to the legislatures of the several states to take the most effectual measures for manning the continental frigates fitted for the sea in their respective states :

That it be earnestly recommended to the United States to avoid as far as possible, farther emissions of paper money, and to take the most effectual measures for speedily drawing in and sinking their paper currency already emitted :

That such parts of the proceedings of the committees from the four New-England states as relate to the price of labour and other things, be published and transmitted to the other states, together with these resolutions.

The committee of treasury reported,

That there is due to William Lavelly, for entertaining a party of the Virginia light horse, on their march to general Washington, 14.48 dollars :

That there should be paid to the honourable Mann Page, on account of Henry Baker, for provisions supplied by him to captain Morgan's company of Virginia, in July, 1775, 56.20 dollars :

That there should be paid to Peter Kemp, for a wagon horse, that was impressed in public service, and died on his return from Philadelphia, where he had been with baggage belonging to the Virginia troops, 80 dollars :

That there should be advanced to the board of war 500 dollars for the public service, and for which they are to be accountable :

*Ordered*, That the said accounts be paid.

*Resolved*, That 1500 dollars be advanced to Gerard Hopkins, son of Richard, quartermaster in Baltimore, for public service ; he to be accountable.

A letter of the 10th from James Horne, a prisoner, was read ;

*Ordered*, That it be referred to the marine committee, who are empowered to do therein what they shall judge proper.

The secret committee having informed Congress that their agents in the eastern states have by their order, in pursuance of the directions of Congress, purchased a quantity of cloathing for the army, to the amount of £.36,000 lawful money,

*Resolved*,

*Resolved*, That 120,000 dollars be advanced to the secret committee to pay for the said goods, the committee to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *February 17, 1777.*

A letter of the 13th from the committee of Congress at Philadelphia, and one of the 14th from colonel Gist, inclosing a proclamation by the assembly of Maryland, were read.

The committee for Indian affairs, to whom was referred a letter from general Schuyler, with sundry papers inclosed, brought in a report, which was taken into consideration; whereupon

*Resolved*, That Congress approve of the attention which general Schuyler has given to secure the friendship of the Six Nations of Indians towards these States, and of the measures which he is taking to defeat the evil designs of our enemies, who with unremitting cruelty are endeavouring to precipitate these Indians into a war against us.

That 10,000 dollars be delivered out of the military chest in Albany to the commissioners of Indian affairs for the northern department, who are desired to purchase therewith in these United States, such Indian goods as may be proper, and distribute the same among the Indian nations in their department, in such manner as they shall judge most conducive to cultivate the peace and friendship of the said nations, and that the commissioners direct such persons as they shall employ to purchase the said goods, that they do not bid against others already employed in purchasing goods for these United States.

On motion, *Resolved*, That the marine committee be empowered to advance 20 dollars to each seaman, who will enter to serve on board the Lexington, the same to be deducted out of their share of the prize money, arising from the captures made by the said Lexington.

*Resolved*, That a committee of five be appointed to revise the regulations of the post-office, and report a plan of carrying it on, so as to render the conveyance of intelligence more expeditious and certain.

The members chosen, Mr. Heyward, Mr. J. Adams, Mr. Whitherspoon, Mr. R. H. Lee, and Mr. S. Adams.

*Resolved*, That on Tuesday the 25th instant, when Congress adjourn, it shall be adjourned from Baltimore to meet at Philadelphia.

*Resolved*, That a committee of three be appointed to

consider the state and situation of the North-Carolina prisoners, and report thereon to Congress:

The members chosen, Mr. Whitherspoon, Mr. Rumsey, and Mr. Burke.

Congress took into consideration the report of a committee appointed to prepare a plan for suppressing the internal enemies of America, and preventing a communication of intelligence to our enemies;

*Ordered*, That the same be re-committed, and that two members be added to the committee:

The members chosen, Mr. Chase and Mr. Gerry.

*Resolved*, That 20,000 dollars be paid to colonel William Crawford, for raising and equipping his regiment, which is part of the Virginia new levies.

*Resolved*, That Mr. Aquila Norris be appointed a signer of the continental bills of credit in addition to those already appointed.

Congress having this day received intelligence that the enemy meditate an expedition to the bay of Chesapeake the ensuing campaign, and that the eastern shore is the first object or place of landing:

*Resolved*, That the states of Virginia and Maryland be requested to take immediate and the most effectual measures that the stocks be removed from their respective eastern shore counties, and their adjacent islands, or so secured that they may not fall into the enemy's hands, and that means the most effectual be taken to protect and secure the well affected inhabitants from the insults and plunder of the enemy.

*Ordered*, That the marine committee deliver the Lexington when fitted for the sea and manned, to the order of the committee of secret correspondence.

*Ordered*, That the secret committee forward to the council of Massachusetts Bay, a copy of the resolution of the 5th instant, requesting the several states to order their armed vessels into the service of the United States, under the direction of the secret committee, and that they request the said council to send in one of the vessels belonging to their state, a trusty person, at the expence of the continent, who shall take charge of such papers as shall be intrusted to him by the secret committee, and govern himself agreeable to the orders he shall receive from the said committee.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y, *February 18, 1777.*

Mr. Heyward attending in his place produced credentials of a new appointment, which were read as follows ;

“ South-Carolina, in General Assembly, the 10th day of January, 1777. The members of the legislative council, and of the house jointly, voted for delegates to represent this state in the Continental Congress, and the ballots being reckoned, Mr. Speaker reported that the honourable Arthur Middleton, Thomas Heyward, jun. and Henry Laurens, esquires, having a majority of votes of the members present, were duly elected.

“ In General Assembly, the 20th day of January, 1777.

“ *Resolved, unanimously,* That the delegates of this state in the continental Congress already, or hereafter to be elected, or a majority of such of them as shall at any time be present in the said Congress, or any one of the said delegates, if no more than one shall be present, be and they and he are and is hereby authorized and empowered for and in behalf of this state, to concert, agree to, and execute every measure which they or he together with a majority of the continental Congress shall judge necessary for the defence, security, interest, or welfare of this state in particular, and of America in general.

“ In the General Assembly, the 21st day of January, 1777. The members of both houses proceeded to ballot jointly for two more delegates to represent this state in continental Congress, and the ballots being cast up, Mr. Speaker reported, that only the honourable Charles Pinkney, esquire, of the gentlemen that were balloted for, had the votes of a majority of the members present, who was accordingly declared duly elected. The members of both houses then proceeded to ballot for the other delegate, and the votes being reckoned, Mr. Speaker reported that the honourable Paul Trapier, junior, esquire, was duly elected by a majority of the ballots of the members present.

True extracts from the journals,

“ Peter Timothy, Cl. G. A.”

A letter of the 8th from Mr. Walton and Mr. Taylor at Durham, with a copy of the minutes of proceedings with the Indians was read ;

*Ordered,* That the same be referred to the committee on Indian affairs.

A letter of the 15th from the committee of Congress at Philadelphia ; one of the 22d and one of the 25th of January from the committee of safety for the state of New-York at Fishkill ; one of the 11th from general Washington at Morristown, with sundry letters from French officers ;



cers ; one of the 28th of January from brigadier Moore at Charlestown ; and one of the 24th of the same month from brigadier Howe at the same place, with sundry papers inclosed ; were read :

*Ordered*, That the letter from brigadier Howe, with the papers inclosed, be referred to the delegates of South-Carolina, North-Carolina, and Georgia.

*Ordered*, That the letters from the council of safety of New-York be referred to the board of war.

*Resolved*, That general Washington be directed to cause an inquiry to be made into the military abilities and conduct of the French gentlemen in the army, and how far they can be usefully employed in the service of these states, and to dismiss such of them as he shall find unworthy of commissions, or unable to render service in the military line.

Mr. Chase attending in his place, produced credentials of a new appointment of delegates for the state of Maryland, which were read as follows :

“ In the House of Delegates, February 15, 1777. On striking the joint ballot of both houses for delegates to represent this state in Congress, a majority appeared in favour of Samuel Chase, Benjamin Rumsey, William Smith, Charles Carrol, of Carrolton, Thomas Stone, and William Paca, esquires. *Resolved therefore*, That the said Samuel Chase, Benjamin Rumsey, William Smith, Charles Carrol, of Carrolton, Thomas Stone, and William Paca, esquires, or any two or more of them be delegates to represent this state in Congress.

“ By order, G. Duval, Cl. Ho. Del.”

*Resolved*, That Darby Lux, and Daniel Carrol be appointed signers of the continental bills of credit, in addition to those already appointed.

Congress proceeded to consider the propriety of appointing an additional number of general officers ; and after debate,

*Resolved*, That three majors general be appointed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, February 19, 1777.

*Resolved*, That colonel Campbell have leave to go to Virginia, to transact some business relative to his own private affairs.

*Resolved*, That 6000 dollars be paid to Christopher Richmond, and charged to the account of brigadier W. Smallwood, for the purpose of paying the arrearages due to the battalion

battalion and independent companies, serving last campaign, under the command of the said brigadier, then colonel Smallwood, the same being in full of his draught in favour of the said C. Richmond, dated Annapolis, February 15, 1777.

*Resolved*, That in voting for general officers a due regard should be had to the line of succession, the merit of the persons proposed, and the quota of troops raised and to be raised by each state.

*Resolved*, That the number of major generals now to be appointed be five.

*Resolved*, That brigadier Lewis be directed to order all the troops raised in Virginia for the continental army, to march immediately by the nearest route, in companies and parts of companies to general Washington's army, proper officers being left behind to recruit the companies or corps that are deficient in numbers, and to bring up the recruits when raised.

*Ordered*, That the secret committee deliver out of the public stores 120 yards of coarse duffels to the captain of the Lexington, to supply the place of blankets for the men on board the said vessel.

Congress proceeded to the election of five major generals, and the ballots being taken, the following gentlemen were duly elected viz.

Lord Stirling,  
Thomas Mifflin,  
Arthur St. Clair,  
Adam Stephen,  
Benjamin Lincoln.

*Ordered*, That Mr. Hudson pay captain Jones of the Virginia light horse, three months pay, and the privates with him each one months pay, and transmit an account thereof to the paymaster general.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, February 20, 1777.

A letter of the 14th from general Washington at Morristown, inclosing one of the 9th to him from general Lee at New-York; and one of the 10th from the same to Congress; three of the 17th from the committee of Congress at Philadelphia; one of the 30th of January and one of the 1st of February from the council of Massachusetts-Bay; one of the 30th January from the committee of safety of New-Hampshire; one of the 3d from governor Cooke at Providence; one of the 7th from governor Trumbull; one

of the 14th from general Washington, with sundry papers inclosed relative to the hospital; one of the 28th of January from general Ward; and one of the 2d instant from colonel Wayne; were read.

*Resolved*, That 500,000 dollars be sent to the paymaster general, for the use of the army.

*Ordered*, That the letter from general Washington, with the papers relative to the hospital, be referred to the medical committee; that the letter from general Lee lie on the table; and that the other letters be referred to the board of war.

*Resolved*, That a committee of three be appointed to confer with colonel Buchanan on the subject of a contract for supplying the army with provisions.

The members chosen, Mr. Sherman, Mr. Gerry, and Mr. W. Smith.

The committee, to whom the copy of general Howe's letter to general Washington was referred, brought in a report, which was taken into consideration; whereupon

*Resolved*, That the board of war be directed immediately to order the five Hessian field officers and lieutenant colonel Campbell into safe and close custody; it being the unalterable resolution of Congress to retaliate on them the same punishment as may be inflicted on the person of general Lee;

That, to manifest to all the world how averse Congress are to this severe but necessary measure, which alone can teach our cruel enemies to regard the laws of nations and the rights of humanity; and that Congress not only lament but would willingly avoid the necessity of this just retaliation:

*Ordered*, That the board of war transmit to each of the Hessian officers and to colonel Campbell copies of the resolve of Congress of the 6th of January, of such part of general Washington's letter of the 13th, and of general Howe's answer thereto of the 23d of January, as relates to general Lee; and inform those officers that the conduct of general Howe alone induces Congress to treat them in a manner so very different from that which has ever been shewn to all other prisoners of war of these states: and that if any of them think proper to write on this subject to the British or Hessian general, the letter shall be transmitted by a flag.

*Resolved*, That the president write to general Gates, and inform him it is the earnest desire of Congress that he should resume the office of adjutant general, and that his present rank and pay shall be continued to him.

The committee on ways and means of supplying the treasury and supporting the credit of the continental currency, brought in a report, which was read;

*Ordered*.

Ordered to lie on the table.

Congress resumed the subject of increasing the number of general officers, and thereupon

*Resolved.* That ten brigadiers be appointed.

*Ordered,* That the election of these brigadiers be postponed till to-morrow.

The committee on the treasury reported that there is due,

To Robert Patton, for his services attending Congress from the 4th of December to the 20th of February, being 78 days ; and for ink-powder, candles, &c. 79.35 dollars :

To Robert M'Gee, for the hire of his waggon, taking the baggage of captain Yates's company of the 4th battalion of Maryland forces, 26 dollars :

To William Adams, for stabling, oats, &c. for eight waggon-horses and three Virginia light horse, 11 dollars :

To doctor Frederick Phyle, for the amount of his account for medicine and attendance to the German battalion, in Philadelphia, 1999.48 dollars :

To John Fleming, for the hire of his team 20 days in the service of the army, and for ferriages paid by him, 80.27 dollars ; and 4 dollars for the ferriage of his waggon and horses over Bald-Friars on the Susquehanna, kept by Alexander Ewing, as appears by his receipt, and which the said Fleming was compelled to pay or he could not pass, and which appears an extortionate sum : the whole amounts to 84.27 dollars :

*Ordered,* That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, February 21, 1777.

The committee, to whom was re-committed the plan reported for suppressing the internal enemies of America, and preventing a communication of intelligence to the other enemies of these states, brought in a report, which was read :

Ordered to lie on the table.

Congress took into consideration the letter of the 10th from general Lee ; and thereupon

*Resolved,* That general Washington be directed to inform general Lee that Congress are pursuing and will continue to pursue every means in their power to provide for his personal safety and to obtain his liberty :

That general Washington inform him of the steps taken to effect these ends, and at the same time acquaint him that Congress judge it altogether improper to send any of their body to communicate with him, and that they cannot perceive how a compliance with his request will tend to his advantage or the interest of the public. Agree-



Agreeable to the order of the day Congress proceeded to ballot for the brigadiers, previously agreeing that the rank of the brigadiers now to be elected shall be settled after the elections, and the ballots being taken and counted, the following gentlemen were elected—

Colonel Enoch Poor, colonel J. Glover, colonel J. Patterson, colonel Anthony Wayne, colonel James Mitchell Varnum, colonel J. P. De Haas, colonel G. Weedon, colonel P. Mulhlenberg, colonel J. Cadwallader, and colonel W. Woodford.

*Resolved*, That the rank of the foregoing brigadiers and of brigadier Nash be settled to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, February 22, 1777.

*Resolved*, That Thomas Bullit, esquire, deputy adjutant general, have the rank of a colonel on the continental establishment.

Congress proceeded to settle the rank of the brigadiers elected yesterday, and of brigadier Nash, with respect to each other and thereupon

*Resolved*, That such as are in the continental service take rank according to the dates of their commissions, and the rank they held in the army at the time of their promotion; and that such as do not hold continental commissions stand after them in the order in which they are elected.

On motion, "That colonel Woodford, who formerly held a commission of colonel in the continental service, but resigned, take rank according to the date of the said commission."

Question put—Carried in the negative.

A memorial from Regnier de Rouffi, and a representation from Thomas Rutherford and three other prisoners from North-Carolina, were read:

*Ordered*, That the memorial from Regnier de Rouffi be referred to the board of war; and

That the representation from the North-Carolina prisoners be referred to the board of treasury.

Congress took into consideration the report of the committee of ways and means; whereupon

*Resolved*, That thirteen millions of dollars be borrowed on loan-office certificates of the following denominations.

2500	of 200 dollars each,	500,000
9185	300 ditto,	2,755,500
7350	400 ditto,	2,940,000
5513	500 ditto,	2,756,500

3675	600 ditto,	2,205,000
1843	1000 ditto,	1,843,000

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 30066

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 13,000,000

*Resolved*, That all certificates issuing after the first emission be signed by Michael Hillegas, esquire, treasurer, or Samuel Hillegas, and countersigned agreeable to the resolutions of Congress of the 3d of October 1776, and 15th of January 1777.

*Resolved*, That the farther consideration of the report be postponed.

*Resolved*, That the treasurer be directed to remain in Baltimore till the farther orders of Congress.

*Resolved*, That one million of dollars be lodged in the hands of John Gibson, esquire, auditor general, to be subject to the draughts or orders of Congress; he to be accountable.

*Resolved*, That 400 dollars be paid to the delegates of Connecticut, and charged to that state.

The board of war brought in a report which was taken into consideration; whereupon,

*Resolved*, That Jost Triesback be appointed a captain, and Charles Merckle a lieutenant in major Ottendorff's corps:

That 1,500 dollars be paid to doctor Samuel M<sup>r</sup> Kinzie, for the use of the hospital in Baltimore; he to be accountable.

*Resolved*, That a member be added to the committee on the treasury:

The member chosen, Mr. William Smith.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, February 24, 1777.

A letter of the 23d of December last from major-general Ward; one of the 12th from colonel G. Morgan, at Pittsburgh, with sundry papers inclosed; one of the 22d from the committee of Congress at Philadelphia; one of the 20th from general Washington; and one of the 20th from G. Walton, esquires, were read;

*Ordered*, That the letter from colonel Morgan, with the papers inclosed, be referred to the committee on Indian affairs; and that the letter from general Ward be referred to the board of war.

*Resolved*, That 2,600 dollars be paid to lieutenant Hudson Martin, and charged to the account of the paymaster general; the same being in full of an order drawn by general Washington on William Palfrey, paymaster general, in favour

your of Levin Joynes, dated February 10, 1777, and indorsed by the said Joynes to captain Woodson, and by captain Woodson to the said lieutenant H. Martin.

*Ordered*, That the letter from the committee of Congress, and that from general Washington, be referred to a committee of the whole :

Congress thereupon resolved itself into a committee of the whole, and after some time, the president resumed the chair ; and Mr. Harrison reported, that the committee have taken into consideration the letters referred to them, and have come to sundry resolutions, which he was ordered to report.

The resolutions reported from the committee of the whole Congress, being read, and the question put on each, were agreed to as follows :

*Resolved*, That general Washington be informed that it will be agreeable to Congress, that he call over to him, such farther aid from the troops under general Heath, as he shall think proper, and that he order all the continental troops that are at Providence, immediately to join him :

That the convention of New-York be desired to place as many militia on the highlands as may be sufficient to defend those passes against any attempts of the enemy, during the absence of the regular troops.

And in order farther to strengthen the hands of the general,

*Resolved*, That the board of war be directed to send letters by express to the colonels or other commanding officers of the several regiments now raising and recruiting in the states of Pennsylvania, Delaware, Maryland, and Virginia, ordering them immediately to march the troops enlisted under their command, by companies and parts of companies, to join the army under general Washington ; proper officers being left behind, to recruit the companies or corps that are not yet compleated, and to bring up the recruits :

That general Washington be directed to write similar letters to the colonels or other commanding officers of the regiments now raising and recruiting in the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, and New-Jersey, excepting such regiments as he shall destine for the service of the northern department :

That the governor of New-Jersey be requested to order the militia of that state properly armed and equipped, immediately to join the general ; and that the council of safety of Pennsylvania be also requested to send to the aid

of the general such of their militia properly armed and equipped, as are contiguous to New-Jersey. It being the earnest desire of Congress to make the army under the immediate command of general Washington, sufficiently strong, not only to curb and confine the enemy within their present quarters, and prevent them from drawing support of any kind from the country, but by the divine blessing, totally to subdue them before they can be reinforced.

Congress took into consideration the report of the board of war of the 14th; whereupon

*Resolved*, That the several states be requested to take the most effectual steps for immediately collecting from the inhabitants not in actual service, all continental arms, and give notice of the number they shall collect to general Washington:

That all arms and accoutrements belonging to the United States be stamped or marked with the words UNITED STATES; all arms already made to be stamped upon such parts as will receive the impression, and those hereafter to be manufactured to be stamped with the said words on every part composing the stand; and all arms and accoutrements so stamped or marked shall be taken wherever found for the use of the states, except they shall be in the hands of those actually in continental service:

That it be recommended to the legislatures of the several states to enact proper laws for the punishment of those who shall unlawfully take, secrete, refuse or neglect to deliver any continental arms or accoutrements which they may have in their possession.

*Ordered*, That the farther consideration of the report be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, February 25, 1777.

Congress resumed the consideration of the report of the board of war; whereupon

*Resolved*, That the several states be requested and empowered to borrow or purchase on behalf of the continent from the militia within the said states respectively as many good and sufficient arms as can possibly be procured.

*Ordered*, That the farther consideration of the report be postponed.

A petition from Jacob Haymaker was read, praying to be allowed a compensation for some horses stolen from him by the Indians.

On



On the question put to comply with the prayer of the petition,

Carried in the negative.

The committee to whom the state of the North-Carolina prisoners was referred, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the prisoners from North-Carolina now in prison or under guard in Baltimore, be put upon their parole, and engaged to continue at Fredericktown in Maryland, or within one mile of it, till the farther order of Congress.

*Ordered*, That the committee who brought in the report carry the resolution into execution, and take such security of the prisoners for the faithful observance of their parole as the said committee think proper.

Congress being informed that a quantity of woollens are brought into the port of Baltimore by a privateer belonging to the state of New-York, which are fit for the army, and immediately necessary for cloathing and supplying the new raised levies.

*Resolved*, That the board of war be directed to appoint proper persons to appraise the said woollens, in order that the value of the same may be paid to the state of New-York, or that a like quantity of woollens be supplied that state from the clothier general ; and that the board of war give directions for having the cloth thus obtained made up as quickly as possible into soldiers cloaths

The committee on the post-office brought in a report, which was read :

Ordered to lie on the table.

Congress took into consideration the report of the committee on deserters, and thereupon came to the following resolutions :

To the end that the most speedy stop may be put to the pernicious and unsoldierly practice of deserting, and that such offenders who receive the public money for services that they design not to perform, may be certainly and speedily carried back to the corps they have deserted from, it is earnestly recommended to the committees of observation or inspection in these United States that they cause diligent inquiry to be made in their respective counties or districts for all deserters that may be lurking or harboured therein, and cause such whenever found to be immediately secured and conveyed to the nearest continental officer ; and all such officers are hereby directed to receive and secure such deserters, that they may be safely delivered to their respective regiments and brought to a speedy trial

and exemplary punishment : and farther, to pay to the persons delivering such deserters eight dollars for each deserter so brought and delivered, and twelve ninetieths of a dollar in lieu of expences for every mile from the place where the deserter was taken up to the place where he is delivered to the officer.

*Ordered*, That the foregoing resolve and the first, second and third articles of the 6th section of the articles of War be published in the several news-papers for six months, and also that 300 copies be printed in hand bills and sent to camp, to be distributed among the officers.

On an application from two officers of the 2d and 7th Virginia battalions, who were left behind to bring up the baggage of their respective battalions, and from a surgeon's mate belonging to the 2d battalion for two months pay for themselves and the men with them, to enable them to proceed to camp ;

*Ordered*, That they apply to Jonathan Hudson, esquire, and that he pay the said officers and men two months pay ; and transmit an account thereof to the general, and to the paymaster general.

*Ordered*, That Mr. Wither Spoon have leave of absence.

*Resolved*, That 3000 dollars be advanced to the delegates of Georgia, for the use of that state ; the said state to be accountable.

*Ordered*, That Mr. Serjeant have leave of absence, for the recovery of his health.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That Mons. Regnier de Rouffi be allowed the rank and pay of a lieutenant colonel from the 12th day of January 1777, and be referred for future employment to general Washington.

The committee of treasury reported that there is due,

To doctor Benjamin Rush, for sundry medicines and attendance to sick soldiers and prisoners, 473.18 dollars :

To Richard Stockton, esquire, and to be paid to doctor Benjamin Rush, for the hire of two horses, a sulkey, &c. for his journey to Ticonderoga last fall by order of Congress, 151.30 dollars :

To captain James Cox, for the pay of a guard of militia to the treasury, and prisoners, and for candles for the use of the guard, 104.42 dollars :

That there should be paid to Samuel Purviance, esquire, 147.87 dollars, the amount of George Pressman's account for plastering done by him in the court-house in Baltimore, and for nails, wood, &c. which work was done to accommodate Congress :

*Ordered*,

*Ordered*, That the said accounts be paid.

It being represented to Congress that profaneness in general, and particularly cursing and swearing, shamefully prevail in the army of the United States,

*Resolved*, That general Washington be informed of this ; and that he be requested to take the most proper measures, in concert with his general officers, for reforming this abuse.

*Resolved*, That the order for adjourning to Philadelphia be suspended.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, February 26, 1777.

*Resolved*, That William Spear be appointed a superintendent of the press in addition to those already appointed.

*Resolved*, That 3000 dollars be paid to colonel Stephen Moylan, for the purpose of recruiting his regiment agreeable to the tenor of a warrant from general Washington, as certified by an order signed by the committee of Congress, dated Philadelphia, February 18, 1777.

The board of war brought in a report which was taken into consideration ; whereupon

*Resolved*, That 100 dollars be advanced to Thomas Edgar, conductor of a brigade of waggons, laden with the baggage of the 2d and 7th Virginia regiments ; he to be accountable.

Congress resumed the consideration of the rate of interest to be allowed on the sums of money ordered to be borrowed : whereupon

*Resolved*, That an interest of 6 per cent. per annum be allowed on all sums of money already borrowed, and directed to be borrowed on loan office certificates, although such certificates mention only an interest of 4 per cent. per annum.

*Resolved*, That the interest on the prizes drawn in the continental lottery, shall remain at 4 per cent.

*Resolved*, That it be recommended to the legislatures of the several states not to offer or give more than at the rate of 6 per cent. per annum upon any monies to be borrowed in their respective loan offices.

*Resolved*, That 1000 dollars be advanced to major Otten-dorf, for the purpose of recruiting his corps : he to be accountable.

The committee on the treasury reported

That there is due to Peter Galway, for riding express to Chincotigue with orders to captain Baldwin, 52 dollars :

To

To Catherine Heydshaw, for lodging, firing, candles, and for dieting Hessian prisoners from the 29th of January to the 25th of February inclusive, 29.78 dollars :

To Henry Bradford, for furnishing lodging and fuel to 126 of the Virginia troops, 3.20 dollars :

To Joseph Stiles, for hay and oats to captain Yauncey's squadron of light horse on their march from Virginia to join general Washington, 48.4 dollars :

To Robert Talbot, for victualling 48 men of the Virginia troops, 6.36 dollars :

*Ordered*, That the said accounts be paid.

Congress resumed the consideration of the report of the committee on ways and means ; whereupon

*Resolved*, That the sum of five millions of dollars in bills on the credit of the United States, of the same tenor and denominations as the last emission, be forthwith emitted under the direction of the board of treasury.

*Resolved*, That the farther consideration of the report be postponed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T H U R S D A Y, *February 27, 1777.*

A letter of the 17th from colonel George Morgan at Pittsburgh was read :

*Ordered*, That the messenger who brought the letter be introduced.

*Resolved*, That 10,000 dollars be advanced to Mr. John Boreman, and charged to the account of colonel George Morgan, for the purpose of laying in provisions for the public service at Fort Pitt.

The medical committee to whom the report on the hospital was re-committed, brought in a report, which was read ;

*Ordered* to lie on the table.

*Resolved*, That when Congress adjourns this evening, it be adjourned to meet at Philadelphia on Wednesday next.

*Resolved*, That 40,000 dollars be paid to the delegates of Maryland, for the use of the state of Maryland, the said state to be accountable :

That 3000 dollars be advanced to the delegates of Pennsylvania, for the purpose of recruiting colonel Hand's battalion, and that the said sum be charged to the account of the state of Pennsylvania.

Whereas the sum of 2000 dollars was ordered on the 9th of December last, to be advanced to the delegates of New-Jersey, for the public service, for which they were

to



to be accountable, and whereas the said sum has not yet been advanced, and the business for which it was intended, is performed :

*Ordered*, That no warrant be drawn in pursuance of the order aforesaid.

*Resolved*, That 500,000 dollars be advanced to the state of South-Carolina, for public service, the said state to be accountable.

Mr. Anderson, the messenger who brought the letter from colonel Morgan, being introduced, gave an account of the state of Indian affairs to the westward of the Ohio, and withdrew.

*Resolved*, That it be recommended to the several legislatures of the United States immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived, if not quickly prevented.

The committee of treasury reported,

That there should be advanced to John Griffith, for sundry provisions and other necessaries furnished by him for the use of the hospital in Baltimore, 533.30 dollars :

*Ordered*, That the said sum be paid.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That two months pay be advanced by Jonathan Hudson, esquire, to a detachment of the 2d and 7th Virginia regiments, under the command of captain Joseph Spencer.

The committee to whom a motion of Mr. Clarke was referred brought in a report, which was read :

*Ordered* to lie on the table.

The committee on Indian affairs brought in a report, which was read :

*Ordered* to lie on the table.

*Resolved*, That the governor and council of Virginia be desired to consider the propriety of ordering an expedition from the western frontier of that state against the settlement of Indians, west of the river Ohio, commonly known by the name of Pluggy's town, and if the said governor and council shall be of opinion that such an expedition is proper and conducive to the public weal, they are desired to direct the same to be undertaken and executed by their frontier militia, on terms the most frugal and effectual, taking the best precaution in conducting this expedition not to give offence to any nations of Indians, in friendship with the United States :

That

That a copy of the information from colonel G. Morgan concerning Indian affairs, be transmitted to the governor and council of Virginia.

The committee on the treasury reported,

That there is due to James Long, for attending as door-keeper to Congress from the 23d of December, 1776, to this day, 67 dollars :

*Ordered*, That the same be paid.

*Resolved*, That the sum of £.2859 2s. 9d; dollars at 8s. each, be paid to messieurs Graverod and Visgar, the same being in full of an order in their favour, drawn by colonel G. Morgan, dated Fort Pitt, February 8, 1777; for goods purchased from them by order of Congress.

*Resolved*, That William Lux, James Colboun, and David Stewart be appointed to appraise the woollens brought into the port of Baltimore, by the privateer belonging to the state of New-York :

That the cloaths and linens when appraised, be delivered to messieurs Samuel and Robert Purviance, who are directed to have them made up, and to deliver 200 suits of cloaths, and 693 shirts to the delegates of Maryland, to be charged to that state, and the residue to the Virginia troops, transmitting an account to the clothier-general.

*Resolved*, That 20,000 dollars be advanced to Jonathan Hudson, esquire, for public service ; he to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Wednesday next, to meet at the state house in Philadelphia.

*During the adjournment the board of treasury reported to the president that there should be paid to capt. W. Galbreath, for expenses of a guard over the Carolina prisoners, &c. 194.22 dollars :*

*And a bill having been drawn by the committee of Congress in Philadelphia, dated February 18, 1777, in favour of colonel Stephen Moylan, for 3000 dollars for recruiting his regiment, agreeable to an order from general Washington ; which bill was indorsed to and presented by Mr. W. Lux :*

*And another bill being drawn by the said committee at Philadelphia, February 18, 1777, in favour of the said colonel Stephen Moylan, for 3000 dollars for the purpose of recruiting his regiment, and the same being indorsed to and presented by captain David Plunket, the president ordered the payment, and reported the same to Congress on the 24th of March, and the same was confirmed.*

Congress being adjourned on the 4th, and from thence from day to day met on business.

WEDNESDAY,

WEDNESDAY, *March 12, 1777.*

The delegates of Pennsylvania produced credentials of their appointment, which were read as follows :

“ This may certify Congress that the following gentlemen were duly elected in and by a full house of the general assembly of the Commonwealth of Pennsylvania, to serve as delegates in the Continental Congress for the present year, to wit, Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan B. Smith, George Clymer, and James Wilson. Witness my hand, the 10th of March, 1777. (Signed,) John Jacobs, speaker.”

The delegates of Massachusetts-Bay laid before Congress farther powers received from their constituents, which were read as follows :

“ State of Massachusetts-Bay. In the House of Representatives, February 4, 1777. Whereas the commission given the delegates in Congress, representing this state by a resolve of the 10th of December last, confines the exercise of their representation and powers to any three or more of them, from which many inconveniences may arise, and their vote in Congress may be lost on any question, when only two are present ; and one may controul two when three are present, and the same effect take place : It is therefore *Resolved*, That any two or more of the said delegates representing this state in Congress, being the major part present, be and hereby are vested with all the powers with which any three or more of the said delegates were vested by the said resolve of the 10th of December last ; and the secretary is hereby directed, as soon as may be, to furnish each of the delegates from this state with an attested copy of this resolve.

“ T. Warren, speaker.

“ In Council, February 4, 1777, read and concurred.

“ J. Avery, deputy secretary.”

Five letters from general Washington, viz. one of the 20th, one of the 23d, one of the 28th of February, and one of the 1st, and one of the 6th of March ; four letters from general Schuyler. viz. one of the 4th, one of the 8th, one of the 15th, and one of the 24th of February ; a memorial from baron de Arandt ; a letter from general Gates, with a list of Canadian officers ; one from Mr. Bowdoin, respecting monsieur Faneuil ; and one from John Vipschir ; one from governor Henry of Virginia ; one from John Page, respecting two German officers : also a letter from lieutenant colonel John Brown, inclosing his commission resigned ; one of the 3d from Lord Stirling ; one from general Stephen ; and one from general Lincoln, acknow-

ledging severally the receipt of their commissions as major generals ; one from J. Cadwallader, declining his appointment as brigadier ; one of the 24th of February from colonel Stewart, respecting the purchase of cannon, were read :

*Ordered*, That they be referred to the board of war.

A letter of the 28th of February from general Gates was read, respecting the office of adjutant general :

*Ordered*, That this be taken into consideration to-morrow.

An appeal being lodged from the judgment of the court of admiralty at Georgia, against the sloop Polly, captain Alexander M'Austan ;

*Ordered*, That it be referred to the committee on appeals.

An account of advances by the state of Rhode-Island, was laid before Congress ;

*Ordered* to lie on the table.

A letter from the council of safety of Pennsylvania was read, respecting the complaints of the troops from Ticonderoga, on account of their not being paid :

*Ordered*, That the same be referred to the committee appointed to confer with general Gates.

*Resolved*, That 400,000 dollars be paid to the state of Rhode-Island, which is to be accountable ; and that the same be paid by an order on the auditor general for 200,000, by one on the commissioner of the loan-office of the state of Rhode-Island for 60,000, and one on the treasurer, for 140,000 ; this last to be paid out of the emission last ordered.

*Resolved*, That three members be added to the committee for hearing appeals :

The members chosen, Mr. J. Adams, Mr. Read, and Mr. Burke.

*Resolved*, That an order in favour of James Mease, for 10,000 dollars be drawn on the auditor general, to be paid out of the lottery money ; and that the same in the hands of Mr. Mease be subject to the orders of general Gates.

*Resolved*, That it be recommended to the legislatures, or in their recess, to the executive powers of each of the United States, to cause assessments of blankets to be made, in order to furnish their several quotas of soldiers with an article so necessary to defend them from the inclemency of the weather and damp air in their encampments ; and that all blankets to be obtained in this manner be valued to a just and reasonable price and paid for by the states respectively, to be repaid by the United States : and that the legislatures, or in their recess, the executive power, do cause money to be put into the hands of a proper officer in every county, district or township, in order that such blankets may be paid for without delay or trouble to the householders on whom the assessments shall be made. The



The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, *March 13, 1777.*

A petition from Richard Howson was read, praying for leave to go to New-York, in order to pass from thence to England :

*Resolved*, That the prayer be granted.

A letter from lord Howe to the committee of Congress at Philadelphia, respecting the exchange of captain Jones, who was taken in the brig Lexington by the Pearl frigate, was read :

*Ordered*, That it be referred to the marine committee.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That a letter be written by the president to colonel Stevens of the 10th Virginia regiment, ordering him to purchase 80 stand of arms, or as many more as can be procured, of Mr. James Hunter, of Fredericksburgh in Virginia; and that the colonel be impowered to draw for the amount on the deputy paymaster general of the southern department.

Congress being informed that there are in the public armoury in the state of Virginia a number of arms, to the amount of about 300, belonging to that state.

*Resolved*, That a letter be written by the president to the governor and council of Virginia, requesting them to furnish the battalion commanded by colonel Stevens, now in Fredericksburgh, with the arms now in that place, and as many more as can be procured, for which they shall be either paid, or have the same number, equally as good, returned, at their election.

Whereas applications are frequently made to Congress for employment in the continental army by gentlemen from Europe of various nations, who may very probably have great merit, but not understanding our language, can be of no use in the army of these states; therefore

*Resolved*, That the committee of secret correspondence be directed forthwith to write to all their ministers or agents abroad to discourage all gentlemen from coming to America with expectation of employment in the service, unless they are masters of our language and have the best recommendations.

*Resolved*, That major Marlet be paid for the time that he was employed in the American service as major and captain in Canada, which is referred for settlement to the board of treasury.

Mr. Winters of Maryland, who has carried on a manufactory of small arms, having offered his service to the continent,

*Ordered*, That he be referred to the board of war.

A petition from Lewis Prahl, gunsmith, was read, praying the discharge of two recruits, gunsmiths by trade, from their enlistment, in order that he may employ them in that business:

*Ordered*, That it be referred to the board of war.

A memorial from Robert Irwin, waggonmaster, was read, praying an allowance for his expence and trouble :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That a committee of five be appointed to confer with general Gates upon the general state of affairs :

The members chosen, Mr. Roberdeau, Mr. L. Morris, Mr. Sherman, Mr. Whipple, and Mr. Lovell.

The board of treasury brought in a report, which was taken into consideration ; whereupon

*Resolved*, That three commissioners be appointed to examine such claims against the United States as may be presented to Congress for payment :

That they constantly keep their office in the city or place where Congress shall from time to time be assembled and hold their session :

That they carefully avoid passing any accounts that ought to be adjusted in other departments, unless directed thereto by Congress or the board of treasury, in which cases they are to send to the office or department where the same should have been settled, a copy of such accounts and the allowance made thereon by Congress :

That they certify the sums to be allowed on accounts examined by them, and render the same to the auditor general, to be by him reported to Congress.

A memorial from Christopher Ludwick, respecting the Hessian prisoners, was read :

*Ordered*, That it be referred to the committee appointed to confer with general Gates.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, March 14, 1777.

A letter from John Trumbull, deputy adjutant general in the northern department, with his commission inclosed ; one from John Lawrence, commissioner of the loan-office in the state of Connecticut ; one from monsieur Vernejour, with one from general Sullivan, recommending him ; one from James Price, praying to be authorised to draw on the

the treasury for the balance due to Price and Haywood ; one of the 5th from Joseph Trumbull, commissary general ; and one of the 21st of February from governor Trumbull were read ;

*Ordered*, That the letter from John Trumbull, deputy adjutant general, and that from monsieur Vernejour be referred to the board of war. That the letter from Mr. Price, and that from Joseph Trumbull, commissary general, be referred to the board of treasury.

*Ordered*, That 82.60 dollars be paid by a warrant on the treasurer, to monsieur Lotbinier for two months pay and rations as chaplain, from the 10th of January last.

*Resolved*, That the bills drawn by the treasurer of North-Carolina on the continental treasury, be paid as part of the 500,000 dollars ordered to be advanced to that state the 5th of February last.

*Ordered*, That the bill drawn by Governor Trumbull in favour of Nathaniel Shaw, for 25,000 dollars, be paid and charged to the state of Connecticut.

*Ordered*, That Carpenter Wharton lay his accounts before the board of treasury.

*Ordered*, That a committee of three be appointed to enquire into the conduct of the commissaries, and that they be impowered to send for persons and papers :

The members chosen, Mr. Lewis Morris, Mr. Clark, and Mr. J. B. Smith.

The board of war brought in a report which was taken into consideration ; whereupon

*Resolved*, That monsieur Faneuil's scheme for officering, arming and cloathing a corps of Frenchmen, to be raised in the French islands, to serve in the United States, as mentioned in general Washington's letter of the 20th of February, be disapproved :

That general Washington be acquainted it is the opinion of Congress, no commission should be granted to foreign officers, to serve in these states, unless they are well acquainted with our language, and bring strong credentials of their abilities :

That general Washington be informed that no provision has been made by Congress for the support of widows, whose husbands have been slain in battle.

*Ordered*, That the letters of the 1st and 6th from general Washington, be referred to a committee of the whole Congress.

*Resolved*, That the pay-list transmitted by the general for the establishment of colonel Sheldon's regiment of cavalry be approved, which is as follows :

“ Lieutenant

	Pay per month.
" Lieutenant colonel commandant,	75 dollars.
Major, - - - -	60
Captain, - - - -	50
Lieutenant, - - - -	33 1-3d.
Cornet, - - - -	26 2-3ds.
Adjutant, - - - -	33 1-3d.
Quartermaster, - - - -	16 2-3ds.
Serjeant, - - - -	15
Corporal, - - - -	10
Trumpeter, - - - -	10
Private, - - - -	8 1-3d."

*Resolved*, That the establishment and pay of each regiment of light dragoons raised for the defence of the United States, as transmitted by the general, be approved, which is as follows :

	Pay per month.
" 1 Colonel, - - -	93 dollars & 3-4ths,
1 Lieutenant Colonel, - -	75
1 Major, - - -	60
1 Chaplain, - - -	50
1 Quartermaster, - - -	50
1 Surgeon, - - -	60
1 Mate, - - -	40
1 Paymaster, - - -	50
1 Ridingmaster, - - -	33 1-3d.
1 Saddler, - - -	10
1 Trumpet-major, - - -	11
6 Troops, each consisting of	
1 Captain, - - -	50
1 Lieutenant, - - -	33 1-3d.
1 Cornet, - - -	26 2-3ds.
1 Quartermaster Serjeant,	15
1 Drill Serjeant, - - -	15
1 Trumpeter, - - -	10
1 Farrier, - - -	10
4 Corporals, each - - -	10
22 Privates, each - - -	8 1-3d.

*Note.* The pay of the farrier and saddler being less than such persons can be had for, a small stoppage from the men's pay must be made and given in aid, as is usual in the British service."

*Resolved*, That the pay of Mr. Nathaniel Barber junior, deputy commissary of artillery in the eastern department, be 33 dollars and 1-3d<sup>y</sup> per month, and three rations a day.

Congress resolved itself into a committee of the whole ; after some time the president resumed the chair, and Mr.

L. Morris.



L. Morris reported that the committee have had under consideration the letters to them referred and come to a resolution thereon, which he was ordered to report :

The resolution being read was agreed to, and is as follows :

*Resolved*, That general Washington be informed that Congress cannot agree to any alteration in the resolve passed on the 6th of January 1777. And as to the complaints of colonel Campbell, it was never their intention that he should suffer any other hardship than such confinement as is necessary to his security for the purpose of that resolve :

*Ordered*, That a copy of the above resolve, together with a copy of the letter from colonel Campbell to general Washington, be sent to the council of Massachusetts Bay :

*Ordered*, That a copy of the letter from colonel Campbell to general Washington be sent to captain J. Bradford.

The several matters to this day referred being postponed, adjourned to 10 o'clock to morrow.

SATURDAY, March 15, 1777.

A letter of the 2d from general Wayne, with sundry papers inclosed, was read :

*Ordered*, That the same be referred to the board of war.

*Resolved*, That 50,000 dollars be advanced to Mr. Carpenter Wharton : he to be accountable.

*Resolved*, That 100,000 dollars be advanced to Mr. James Mease, clothier general ; he to be accountable.

*Resolved*, That 5000 dollars be advanced to the state of Delaware ; the said state to be accountable.

The board of war brought in a report which was taken into consideration ; whereupon

*Resolved*, That as Congress proceeded to the dismissal of doctor Stringer, upon reasons satisfactory to themselves, general Schuyler ought to have known it to be his duty to have acquiesced therein :

That the suggestion in general Schuyler's letter to Congress, that it was a compliment due to him to have been advised of the reasons of doctor Stringer's dismissal is highly derogatory to the honour of Congress ; and that the president be desired to acquaint general Schuyler that it is expected his letters for the future, be written in a stile more suitable to the dignity of the representative body of these free and independent states, and to his own character as their officer.

*Resolved*, That it is altogether improper and inconsistent with the dignity of this Congress to interfere in disputes subsisting among the officers of the army, which ought to be

set-

tled, unless they can be otherwise accommodated, in a court-martial, agreeably to the rules of the army ; and that the expression in general Schuyler's letter of the 4th of February, " that he confidently expected Congress would have done him that justice, which it was in their power to give, and which he humbly conceives they ought to have done," were, to say the least, ill-advised and highly indecent.

*Ordered*, That an extract of those parts of general Schuyler's letter of the 4th of February which relate to the state of the garrison of Ticonderoga, be transmitted by the board of war to general Washington.

*Ordered*, That the resignation of lieutenant colonel John Brown, of colonel Elmore's regiment, raised in the state of Connecticut, be accepted.

The board of treasury brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the commissioners in the northern department make an allowance to James Price, esquire, for the time which he acted as deputy commissary general in Canada.

*Resolved*, That there be advanced to Joseph Trumbull, esquire, commissary general, 400,000 dollars, by a warrant for 50,000 dollars on the commissioner of the loan-office for the state of New-Hampshire ; and by a warrant for 350,000 dollars on John Gibson, esquire, auditor general :

That there be advanced to James Stevenson, esquire, one of the commissioners of accounts for the middle department, 600 dollars, by a warrant on the commissioner of the loan office for the state of Connecticut ; he to be accountable.

*Resolved*, That there be paid to Allen M'Donald, Alexander, Archibald, Reynold, and Allen M'Donald, junior, for the allowance of two dollars per week, from the 18th of December to the 12th of March, being 12 weeks, 168 dollars.

*Resolved*, That 300 dollars be paid to the reverend Mr. James Caldwell, of the state of New-Jersey, for extraordinary services.

A petition from William Bernard was read, setting forth " that he sailed from England in the month of November last, as mate of the brigantine Hanover, bound for St. Augustine, commanded by John Pinkham, and that in the passage the said Bernard with the crew, consisting of six persons, all inhabitants of these United States, seized the said brig and carried her into North-Carolina, and praying that the said brig and cargo may be distributed among them :"

*Ordered*,

*Ordered*, That the said petition with the papers accompanying it, be referred to the marine committee.

The marine committee reported, "that there are several very fine prize ships in the state of Massachusetts-Bay, very suitable for the service of the continent, and which may be fitted out at a small expence; and that captain Daniel Waters, and captain Samuel Tucker, who were early employed by general Washington in cruising vessels and were very successful and strongly recommended by the general and others, are in their opinion proper to be appointed to the command of two of them;" whereupon

*Resolved*, That the marine committee be impowered to give directions to the agents to purchase three ships, and order them to be immediately armed and fitted out for the service of the United States, to be under the direction of the marine committee.

*Resolved*, That Daniel Waters and Samuel Tucker be appointed captains in the navy of the United States, and that they have the command of two of the ships ordered to be purchased: and that the command of the other ship be given to captain John Paul Jones, until better provision can be made for him.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

#### MONDAY, March 17, 1777.

Eight states only attending, the several matters to this day referred were farther postponed, and Congress adjourned to 10 o'clock to-morrow.

#### TUESDAY, March 18, 1777.

Eight states only attending this day. the matters referred over were farther postponed, and Congress adjourned to 10 o'clock to-morrow.

#### WEDNESDAY, March 19, 1777.

A letter from W. Attlee, of Lancaster, inclosing a plan of the stockaded barracks in that place; one of the 4th from general Ward at Boston; and three from French gentlemen; two from governor Livingston of New-Jersey; one from general Mifflin; and one from Henry Fisher at Lewistown to the council of safety of Pennsylvania; and one of the 14th from general Washington; were read:

*Ordered*, That the same be referred to the board of war.

A memorial from Jonathan Hastings was read:

*Ordered* to lie on the table until the report on the post-office is taken into consideration.

A letter of the 2d and 9th from colonel Morgan at Fort Pitt, with sundry papers inclosed, was read :

*Ordered*, That the same be referred to the committee on Indian affairs.

A petition from Thomas Henegan was read ;

*Ordered*, That it be referred to the salt-petre committee.

*Resolved*, That 100,000 dollars be advanced to the state of New-Jersey ; the said state to be accountable.

*Resolved*, That 100,000 dollars be advanced to the state of Pennsylvania ; the said state to be accountable.

*Ordered*, That a committee of three be appointed to inquire into the state of the French officers, and that all applications of foreigners for service in the army be referred to them :

The members chosen, Mr. Lovell, Mr. Heyward, and Mr. Roberdeau.

The board of war reported, "that there should be advanced to colonel William Grayson, 10,000 dollars according to his request in his letter of the 7th to the secretary of the board ; and that the same be sent by the hands of Mr. Thompson, as desired in the said letter ; colonel Grayson to be accountable :"

*Ordered*, That the said sum be advanced.

In consequence of a farther report from the board of war.

*Resolved*, That the baron de Arendt be appointed to the command of the German battalion in the room of colonel Hauffeger.

*Ordered*, That the committee of secret correspondence write a respectful letter to general the baron de Kalb, thank him for his obliging offer, and decline accepting it at present.

*Resolved*, That general lord Stirling be informed, that as no losses sustained by officers have hitherto been repaired by the public, Congress cannot grant his request, lest a dangerous precedent should be established.

*Ordered*, That the part of general Schuyler's letter of the 15th of February last, relating to ship carpenters wanted in the northern department, be referred to the marine committee.

*Ordered*, That an extract from general Schuyler's letter of the 4th of February, relating to stores wanted from the eastern department be transmitted to general Washington, and that he be directed to give orders for the supply of such stores as are wanted in the northern department, and which can be procured from the eastward, and are not already appropriated.

*Resolved*, That John Schrop be appointed second lieutenant, and Bartholomew Van Herr adjutant in the corps commanded by major Ottendorff.



A petition from William Garnet, George Patton, and Robert Brown was read, praying for leave to return to some of the West-India islands:

*Ordered*, That the prayer of the petition be granted.

*Ordered*, That Mr. Serjeant be excused from serving on the marine committee, and that Mr. Clark be added to the said committee in his stead.

*Ordered*, That an extract of Mr. Deane's letter relative to doctor Williamson, be referred to a committee of five, and that they be empowered to send for doctor Williamson and examine him :

The members chosen, Mr. Wither Spoon, Mr. Smith, Mr. Clymer, Mr. Wilson, and Mr. Heyward.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow,

THURSDAY, March 20, 1777.

A letter of the 3d, from governor Trumbull at Lebanon, and two of the 10th, inclosing an intercepted letter from governor Wentworth ; and one from J. Cockran were read ;

*Ordered*, That the letter from governor Trumbull be referred to the marine committee ; and that the intercepted letters be referred to the committee of intelligence.

A letter from monsieur Bordes, one from general Gates, respecting colonel John Trumbull ; and one of the 17th from general Putnam at Princeton were read ;

*Ordered*, That the letter from monsieur Bordes be referred to the committee on foreign applications.

A letter of the 18th from general Washington, brought by general Green was read :

*Ordered* That general Greene attend Congress to-morrow at 11 o'clock.

*Ordered*, That Mr. J. B. Smith be excused from serving as manager of the lottery, he being appointed a member of Congress.

*Ordered*, That three managers be added to those already appointed, and that to-morrow be assigned for electing them.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, March 21, 1777.

*Resolved*, That £.625 Pennsylvania currency, equal to 1666 60 dollars be paid to Gam. Dowdell, and charged to the account of colonel Morgan of the Virginia forces, the same being in full of colonel Morgan's bill on the president, dated February 24, 1777, in favour of the said

Gam. Dowdell, for the pay of the troops under his command.

*Ordered*, That 1600 dollars be advanced to Thomas Butler, continental armourer ; he to be accountable :

That 13.30 dollars be paid to Timothy Shuler.

A petition from Levy Marks was read :

*Ordered*, That it be referred to the clothier general.

A petition from George Folger, Seth Jenkins, and Alexander Coffin was read, setting forth that some hard money and other articles have been detained from them by the owners of the privateer Congress :

*Ordered*, That it be dismissed ; the matter belonging to the court where the judgment was given.

A letter from colonel Stewart to the committee on the affairs of the northern department was laid before Congress :

*Ordered*, That it be referred to the board of war.

*Ordered*, That the committee appointed on the 13th to confer with general Gates, do also confer with general Greene on the several matters given in charge to him by general Washington, and that three members be added to the committee :

The members chosen, Mr. Wilson, Mr. S. Adams, and Mr. Witherspoon.

The committee on foreign applications brought in a report, which was read and considered ; whereupon

*Resolved*, That a copy of the resolve of the 12th, with a certificate signed by the secretary, setting forth, "That it is wholly and only upon the grounds mentioned in the said resolve that the bearer is not employed by these United States," be given to the chevalier de Bourneuf, monsieur de Bordes, monsieur de Luce, monsieur de Baurey, monsieur Devermond, monsieur de Vernis, the chevalier de Colerus, and monsieur Faneuil ; and that the committee aforesaid be impowered to order a like certificate to such other foreigners applying for rank and service in the army of the United States, as they shall think proper.

*Resolved*, That the count de Mountfort be recommended to general Washington for a brevet of lieutenant.

*Ordered*, That 300 dollars be paid to monsieur Faneuil, to free him from those embarrassments which he has been brought into by pursuing his own great desire to enter into the service of these United States, in consequence of advice from the assembly of Massachusetts-Bay and general Washington.

*Ordered*, That 100,000 dollars be advanced to James Mease, clothier general ; he to be accountable.

*Resolved*, That one million of dollars be sent by the treasurer

surer to John Gibson, esquire, auditor general ; the said money to be subject to the orders of Congress, and the auditor general to be accountable.

*Ordered*, That 30,000 dollars be advanced to Richard Dallam, esquire, deputy paymaster general of the flying camp ; he to be accountable.

The board of war brought in a report, which was read and considered ; whereupon

*Ordered*, That 500,000 dollars be immediately sent to the paymaster general.

*Resolved*, That for preventing unnecessary expence, when the militia of any of the states is called to serve in the pay of the United States, no more officers shall be intitled to pay than a proper number in proportion to the privates, viz. for every company consisting of not less than thirty-six and under fifty privates, two commissioned officers ; for every company not less than fifty and under sixty-eight privates, three commissioned officers ; for every company of sixty-eight or more privates, four commissioned officers ; and for every battalion of five hundred and more privates, three field officers ; for every battalion under five hundred and not less than three hundred, a lieutenant colonel and major : and for any number of privates above one hundred and fifty and under three hundred, one lieutenant colonel or major.

*Ordered*, That general Sullivan's letter relative to monsieur Vernejoul, be referred to the committee on foreign applications.

*Ordered*, That general Mifflin's plan, with two letters from general Washington, for regulating the duty of the quartermaster's department, be referred to the committee appointed to confer with general Gates and general Greene.

Congress resumed the consideration of the report of the board of war of the 12th ; whereupon

*Resolved*, That it be recommended to the council of the state of Massachusetts-Bay to erect, at the expence of the United States, in some convenient place in the county of Worcester in the said state, barracks, with a stockade or inclosure surrounding the same, capable of containing 1500 prisoners, to be built of wood, as may appear to them most conducive to the public service and in the end least expensive to the public.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, March 22, 1777.

A letter signed John Rofs, dated New-York, having been intercepted, was read.

The

The board of war brought in a report which was read and considered ; whereupon

*Ordered*, That 300,000 dollars be advanced to major general Mifflin, for the use of the quartermaster's department ; he to be accountable.

*Ordered*, That 42 dollars be paid to William Sproat, being a balance due to him for his services as clerk to the board of war.

*Ordered*, That the petition from Robert Lilly, with the annexed account be referred to the board of treasury.

*Resolved*, That two members be added to the board of treasury :

The members chosen, Mr J. B. Smith, and Mr. L. Morris.

*Ordered*, That the managers of the lottery of the United States draw the same agreeably to the mode usually practised in the state lotteries in Europe, and frequently used in large lotteries in America, by putting all the numbers in one wheel, and the prizes only in the other.

Congress proceeded to the choice of three additional managers of the United States lottery, and the ballots being taken ;

John Ord, Robert Ritchie, and James Budden were elected,

*Ordered*, That the bill dated March 9th 1777, drawn by William Palfrey, paymaster general, for 3000 dollars, in favour of John Ramsay, be paid and charged to the account of the paymaster general.

The report of the medical committee was taken up and considered, and after debate

*Ordered*, That the said report, together with doctor Shippen's plan, be re-committed.

*Ordered*, That a committee of five be appointed to devise ways and means for preserving the health of the troops, and for introducing better discipline into the army :

The members chosen, Mr. Wolcott, Mr. Roberdeau, Mr. Witherspoon, Mr. S. Adams, and Mr. Clark.

*Resolved*, That the board of war be empowered to contract with Mr. Wheeler for a number of cannon of the new construction, invented by the said Wheeler.

*Ordered*, That one million of dollars be sent by the continental treasurer to the auditor general, the said money to be subject to the order of Congress, and the auditor general to be accountable.

The committee on departments brought in a report, which was read and considered ; whereupon

*Resolved*, That a secretary's office be forthwith established and constantly kept in or near the state-house or building where Congress shall from time to time hold its session :

That



That it be under the direction of the secretary, and provided with a deputy secretary, to be appointed by Congress, with a salary of 800 dollars a year, and such a number of clerks as Congress shall direct, to be appointed by the secretary, with a salary of 480 dollars a year each :

That the secretary, deputy secretary, and clerks, before entering upon their office, shall severally take an oath, to be administered by the president, "well and faithfully to execute the trust reposed in them in their respective capacities according to their best skill and judgment, and to disclose no matter, the knowledge of which shall be acquired in consequence of such their office, and which they shall be directed to keep secret;" also the oath prescribed for officers of the army, and passed by Congress the 21st of October 1776; and that certificates thereof be given by the president and lodged with the secretary :

That such of the journals and papers of Congress as are secret in their nature, be kept by the secretary, and communicated to none, unless by particular order, but members of Congress and the deputy secretary, and that all others be kept and filed in the office aforesaid :

That all letters and other papers of Congress in the war-office or hands of the president, treasury or marine boards, the secret committee, or committee on Indian affairs, or any other committee or member of Congress, (excepting such as relate only to the business of the said boards or committees, and have never been received in Congress, or having been received have been committed to the same as belonging to the respective offices) be delivered to the secretary, to be by him disposed of as aforesaid :

That all letters and other papers that shall hereafter be committed by Congress to any board, committee or member thereof, be returned to the president or secretary with the report that may be made thereon; and that no original journal, letter or paper be delivered out of the office without an order of Congress and receipt for the same :

That such of the journals and papers belonging to the secretary's office as are in daily use by Congress, be each day after the adjournment sent to the said office; and attested copies of all the resolutions to be carried into execution by any state, officer, person or persons whatever and papers necessary to accompany the same, be sent without delay to the president, to be by him transmitted by express post, or other conveyance, as shall appear expedient or necessary; and that attested copies of any resolutions of Congress or public papers in the office be delivered to any of its members requiring the same.

*Ordered,*

*Ordered*, That Monday next be assigned for electing a deputy secretary.

The committee on the treasury reported that there is due;

To Stewart Rowan, for ferriage of continental troops over Susquehannah, 13 54 dollars :

To Price and Haywood, for travelling expences from Philadelphia to Albany in consequence of a resolve of Congress of the 13th of August last, and from Boston to Philadelphia, and back, 220 dollars :

To Francis Trumbull, for eight chairs bought of him for the use of the treasury office, 19.18 dollars :

To Thomas Burke, esquire, for an advance made by him to nineteen North-Carolina prisoners, to enable them to pay their expences from Baltimore to Fredericktown, 139.30 dollars ; the said sum to be deducted from the allowance due to the prisoners :

*Ordered*, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *March* 24, 1777.

A letter of the 22d from general Gates ; one of the 26th of February from brigadier R. Howe at Charlestown ; one of the 12th of March from captain F. Wade ; sundry papers delivered in by colonel Flower ; and a remonstrance and petition from sundry inhabitants of the counties of Accamack, Somerset and Worcester were read :

*Ordered*, That the letter from general Gates be referred to the committee on foreign applications :

That the papers from colonel Flower be referred to the board of war :

That the letter from captain Wade be referred to the committee appointed to inquire into the conduct of the commissaries :

That the remonstrance and petition from the inhabitants of the counties of Accamack, Somerset and Worcester be referred to the delegates of Virginia and Maryland ; and that the said delegates send to their respective states a copy of the said remonstrance and petition.

*Resolved*, That monsieur Faneuil have the rank of a colonel by brevet in the continental army, without pay or rations.

The committee appointed to confer with major general Greene brought in a report which was taken into consideration ; whereupon

*Resolved*, That general Washington be informed that it never was the intention of Congress, that he should be bound

bound by the majority of voices in a council of war contrary to his own judgment :

That the commander in chief in every department be made acquainted that though he may consult the general officers under him, yet he is not bound by their opinion, but ought finally to direct every measure according to his own judgment :

That if the officer commanding the army of the enemy will acknowledge major general Lee to be a prisoner of war, and intitled to be treated and exchanged as such, general Washington be authorized to proceed in the exchange of prisoners either according to the principles and regulations of the cartel already agreed to, or according to such other and farther principles and regulations as shall appear to him most proper and advantageous :

That the pay of aids-de-camp, be equal to that of other officers of their rank.

Congress being informed that a vessel is just arrived with a quantity of arms belonging to the continent, and also with some arms belonging to private persons :

*Ordered*, That the secret committee purchase such of the arms and military stores as belong to private persons.

The medical committee, to whom the plan of the general hospital was re-committed brought in a report which was read ;

*Ordered*, That the consideration thereof be postponed till to-morrow.

A letter of the 14th from colonel F. Johnson was read ; whereupon

*Ordered*, That the independent company commanded by captain J. Nelson be annexed to the battalion commanded by colonel F. Johnson.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

## TUESDAY, March 25, 1777.

A letter of the 15th from colonel G. Morgan at Pittsburg, with sundry papers inclosed was read ; whereupon

*Ordered*, That the committee on Indian affairs transmit to the commissioners of Indian affairs in the northern department the letter addressed to them by colonel Morgan, and signify to them that Congress approve of the measures mentioned therein.

*Resolved*, That the governor and council of Virginia be desired to suspend any operations against the gang of Indians commonly called Pluggy's people, till they shall receive farther advice from Congress.

*Ordered*, That a copy of colonel Morgan's letter of the 15th and of the advices therein contained, be transmitted to the governor and council of Virginia.

The committee on the treasury brought in a report which was taken into consideration ; whereupon Congress came to the following resolution :

Whereas by a resolve of Congress of the 3d of October, 1776, the commissioners of the loan offices were directed " to transmit to the continental treasurer once a month an account of the cash in their respective offices, and to answer all draughts of the treasurer to the amount of the cash which they shall have in their hands as aforesaid."

*Resolved*, That the several commissioners of the loan offices hereafter make monthly returns to the board of treasury of the cash in their respective offices, and that the same be draughted by warrants from the president only, which, previous to their being paid, shall be entered at the treasury office, and the entry certified on the warrant by one of the commissioners of the treasury, the auditor general, or one of his assistants or clerks.

A memorial from Lewis Prahl was read ;

*Ordered*, That it be referred to the board of war.

*Ordered*, That the opinion of the council of officers on colonel Morgan's commission, inclosed in the colonel's letter of the 15th, be referred to the board of war.

Congress proceeded to the election of a deputy secretary, and the ballots being taken,

Mr. William Churchill Houston was elected.

The marine committee laid before Congress a paper signed by fundry officers in the fleet containing charges and complaints against commodore Essek Hopkins which was read and laid upon the table.

*Resolved*, That the board of war be directed to order the new battalions raised and raising on the west side of the Allegany mountains, to join the army under general Washington with all possible expedition.

*Resolved*, That general Gates be directed to repair immediately to Ticonderoga and take the command of the army there.

A letter of the 18th from the convention of New-York was read, recommending the appointment of a commandant of the forts in the highlands ; whereupon

*Resolved*, That a commandant of the forts in the highlands be appointed, with the rank of brigadier general :

The ballots being taken,

George Clinton, esquire, was elected.

The several matters to this day referred being postponed adjourned to 10 o'clock to-morrow.

WEDNESDAY,



WEDNESDAY, *March 26, 1777.*

A letter of the 14th from William Aylett, esquire, deputy commissary general at Williamsburgh, with sundry papers inclosed, and one of the 8th from general Schuyler, with sundry papers, were read :

*Ordered,* That they be referred to the board of war.

A letter of the 20th from the committee of Lancaster to the delegates of the state of Pennsylvania, inclosing sundry papers, was laid before Congress and read :

*Ordered,* That the same be referred to a committee of three :

The members chosen, Mr. Wilson, Mr. J. Adams, and Mr. Sherman.

The board of war brought in a report, which was read and considered ; whereupon

*Resolved,* That the government of the Delaware state be desired to place such a guard at Lewistown, at continental expence, as they shall think sufficient to protect the persons employed as pilots, and such property of the good subjects of these states as shall be thrown upon their or the adjacent coasts.

*Ordered,* That general Schuyler's general orders of February 1777, be transmitted to general Washington, for his perusal and consideration.

*Ordered,* That 8000 dollars be advanced to colonel Thomas Hartley, for cloathing and arming his battalion ; he to be accountable.

*Resolved,* That a member be added to the board of war :

The member chosen, Mr. G. Clymer.

*Ordered,* That 3000 dollars be advanced to captain Jacob Weaver, for the use of his independent company at Lancaster ; he to be accountable.

The marine committee, to whom the petition of William Bernard was referred, brought in a report, which was taken into consideration ; whereupon

*Resolved,* That it is improper for Congress to interpose in the matter therein submitted to them in the present stage thereof.

*Ordered,* That the president acquaint general Washington that Congress expect the office of adjutant general to be filled by a speedy appointment of a person of abilities and unsuspected attachment to these United States ; and recommend colonel William Lee to his consideration for this purpose.

Congress took into consideration the paper containing charges and complaints against commodore Hopkins ; whereupon

*Resolved*, That Esck Hopkins be immediately, and he is hereby, suspended from his command in the American navy.

The committee on the treasury reported,

That there should be presented to Stirling Wade Cannon four dollars, to enable him to proceed to Maryland :

That there is due to major Harduen Merlet, for his pay and rations as captain from the 1st of September 1775. to the 20th of January 1776, 161.48 dollars :

For his pay and rations as major from the 20th of January 1776 to the 15th of February 1777, 563.20 dollars ;

The whole amounting to 724.68 dollars :

To Robert Patton, for cutting 9 cords of wood for the use of Congress, 9 dollars ;

*Ordered*, That the said accounts be paid.

*Ordered*, That the treasurer send 100,000 dollars to Benjamin Harrison junior, esquire, deputy paymaster general in Williamsburg in Virginia, for the public service in his department ; he to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, *March 27, 1777.*

A letter of the 23d from general Washington was read, wherein he informs Congress that he has given permission to colonel Palfrey, the paymaster general, to come to Philadelphia to settle his accounts :

*Ordered*, That colonel Palfrey, the paymaster general, be referred for the settlement of his accounts to the commissioners appointed to audit and settle the accounts of the army under the immediate command of general Washington.

A letter of the 23d from governor Johnson of Maryland to the secret committee, was laid before Congress and read :

*Ordered*, That it be referred to the board of war.

*Ordered*, That Neil M'Arthur, and Alexander M'Kay, two of the North-Carolina prisoners, who have executed bonds and given approved security for their good behaviour and inoffensive conduct towards the United States and every of them. be permitted to go to North-Carolina, to solicit the assembly thereof, for permission to remain there in such place, and under such restrictions as the said assembly shall direct ; provided that the said Neil M'Arthur, and Alexander M'Kay, if refused such permission, shall be under

under obligation to return to their place of destination in Fredericktown in Maryland as soon as may be, or otherwise shall be deemed to have broken their parole.

Congress took into consideration the report of the medical committee ; and after debate

*Ordered*, That it be re-committed.

*Ordered*, That two members be added to the medical committee :

The members chosen, Mr. Clark, and Mr. Ellery.

A petition from Timothy Shalor, of the sloop Lion was read, praying to be supplied with some rigging and 20clb. of powder :

*Ordered*, That it be referred to the secret committee, who are directed to supply him with the powder on his paying for the same, and also with the other articles if they cannot be purchased at private sale.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Saturday.

SATURDAY, March 29, 1777.

A letter of the 19th from general Lee at New-York ; one of the 26th from governor Livingston of New-Jersey, with sundry papers inclosed ; and one of the 16th from lieutenant colonel Antil were read :

*Ordered*, That the letter from governor Livingston, with the papers inclosed, be referred to the committee for inquiring into the conduct of the British army : that the letter from lieutenant colonel Antil be referred to the board of treasury.

Congress took into consideration the letter from general Lee ; whereupon

*Resolved*, That Congress still judge it improper to send any of their members to confer with general Lee upon the subjects mentioned in his letter.

*Ordered*, That 500 dollars be advanced to the board of war for contingent services ; the said board to be accountable.

The board of war brought in a report, which was taken into consideration ; whereupon

*Ordered*, That 20,000 dollars be paid to Mr. Robert Wood, paymaster of colonel James Wood's regiment raised in the state of Virginia, for the use of the said regiment ; the colonel to be accountable, he having requested the supply by his letter of the 23d instant.

*Resolved*, That the marine committee be authorised to advance to every able seaman that enters into the continental service, any sum not exceeding forty dollars, and

to every ordinary seaman or landsman any sum not exceeding twenty dollars ; to be deducted from their future prize money.

The committee to whom the letter from the committee of Lancaster in Pennsylvania, to the delegates of that state, together with the papers therein inclosed, were referred, brought in a report, which was read and considered ; whereupon Congress came to the following resolution :

Whereas Edmund Minyer, adjutant of the regiment commanded by colonel Moses Hazen, stands charged by an inquisition taken before the coroner of the county of Lancaster in Pennsylvania, with the murder of Jacob Gross, late of the said county, deceased ;

*Resolved*, That the said Edmund Minyer be delivered to the civil authority of Pennsylvania, that he may receive his trial according to law,

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That Mr. Aylett, deputy commissary general in Virginia, be informed, in answer to his letter of the 14th instant, that the quantity of flour required by the commissary general, must by all means be purchased ; that Mr. R. Morris consents on his part to transfer to Mr. Aylett, for continental use, a quantity of flour purchased in Virginia by Mr. Morris and Carter Braxton, esquire, to whom Mr. Aylett is desired to apply for a release of his part of the concern : if this cannot be obtained, the like quantity and as much more as will compleat the commissary general's requisition to be forthwith procured by Mr. Aylett wheresoever the same can be bought in the state of Virginia :

That Mr. Aylett be also informed that Congress approve of the prices offered by him for corn, and that he proceed in the purchase of the quantity wanted by Congress or the commissary general at as low prices as the same can be obtained.

*Ordered*, That 200,000 dollars be sent to the deputy paymaster general in the southern department.

*Ordered*, That a copy of Mr. Aylett's letter be sent to the commissary general, and that Mr. Aylett be directed to store the grain and provisions purchased by him on continental account, until called for by order of Congress or the commissary general ; and when such requisitions shall be made, the mode of transportation must be left to Mr. Aylett's discretion :

*Resolved*, That the pay of the regimental paymasters in the army of the United States be raised to forty dollars per month.

*Ordered*,



*Ordered*, That the case of John Jolly and John North, of New-Jersey, prisoners, be referred to the delegates of that state.

*Resolved*, That whenever any prisoners shall be taken by the army, or by any detachment of the army of the United States, or by any body of the militia, the commanding officer shall furnish the board of war with lists of such prisoners, together with the cause and manner of their capture and detention.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *March 31, 1777.*

The proceedings of a general court-martial held at Philadelphia the 29th of March 1777 on James Moleworth, accused of being a spy from the enemy, and for endeavouring to inveigle three pilots into their service to pilot the ships of war to the attack of this city, were laid before Congress and read; and it appearing thereby that the said James Moleworth is found guilty of the crimes laid to his charge, and sentenced to suffer death;

*Resolved*, That Congress approve the sentence aforesaid, and confirm the orders of major general Gates for the execution of it.

A letter of the 26th with two papers inclosed, and one of the 29th from general Washington; one of the 11th from the convention of New-York, with sundry papers inclosed; and one of the 30th from colonel Hartley were read;

*Ordered*, That the letters from general Washington and colonel Hartley be referred to the board of war; that the letter from the convention of New-York be referred to the delegates of that state.

*Odered*, That 1258 dollars be paid to messieurs Willing and Morris, and charged to the account of Esck Hopkins, the same being in full of a bill dated New-Providence, March 14, 1776, drawn by the said Esck Hopkins in favour of Alexander Frazer or order, and by him indorsed to Willing and Morris.

A letter from George Chardin Nicholson, and one of the 29th from the chevalier de Celeron, were read:

*Ordered*, That the said George Chardin Nicholson, and the chevalier de Celeron, be referred to major general Gates, who is impowered to employ them in such manner as he shall judge most for the interest of the United States.

*Ordered*, That 150 dollars be advanced to the chevalier de Celeron, to be deducted out of his future pay.

*Resolved*, That major general Gates be impowered and directed

directed to take with him, and employ under him in the northern department, brigadier de Roche Fermoy, and such other of the French officers in the service of the United States as he shall think proper.

A letter of the 20th from William Sever and Thomas Cushing at Boston, was read.

Congress having received advice that the ship Mercury of Nantz is arrived at Portsmouth in New-Hampshire with a cargo for the United States, consisting of 11,987 fuses, 1000 barrels of powder, 11,000 gun-flints, 48 bales of woollens, 9 bales of handkerchiefs, thread, cottons, and printed linens, 2 cases of shoes, 1 box of buttons and buckles, 1 box of lawns, and 1 case of needles and silk neck-cloths;

*Ordered*, That 5000 of the arms be delivered to the order of the council of Massachusetts-Bay, for the purpose of arming the troops raised in that state for the army of the United States; and that the said council order two receipts to be taken from the several colonels, to whom the arms shall be delivered, and transmit one of the said receipts to the commissary of military stores, and the other to the board of war.

*Ordered*, That 15 tons of the powder be delivered to the order of the council of Massachusetts-Bay, to repay the powder advanced by that state, for the use of the continental army and navy; and that the said council transmit to the board of war, a particular account of the powder advanced by their state for the use of the United States, and the persons to whom delivered.

*Ordered*, That the secret committee deliver the remainder of the powder, arms, and flints to the order of the board of war, and the remainder of the cargo to the cloathier general, or his order.

Congress took into consideration the report of the committee on tories and disaffected persons; and after debate

*Ordered*, That it be re-committed.

The committee of the treasury reported on the letter of James Warren, esquire;

“ That the loss sustained by James Warren, esquire, whilst paymaster general, in consequence of his keeping an additional office at Cambridge, at the request of the general, for the convenience of the army, as particularly set forth in the depositions of himself, Isaac Lothrop, esquire, and William Winthrop, amounting to 1401.42 dollars, ought to be allowed in the adjustment of his account at the treasury office;”

*Ordered*, That the said allowance be made.

*Resolved*,

*Resolved*, That two members be added to the committee for revising and printing the journals.

The members chosen, Mr. J. B. Smith and Mr. Brownson.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, April 1, 1777.

A letter of the 29th of March from general Washington, one of the 21st of the same month, from brigadier Lewis, were read.

*Ordered*, That the letter from brigadier Lewis be referred to the board of war.

*Resolved*, That Ephraim Blaine, esquire, be appointed commissary, for supplying with provisions the troops now in the county of Cumberland, in Pennsylvania, and such as may hereafter march through that county, as well as the artificers and troops, who shall be employed in the magazine and laboratory, to be erected at Carlisle.

Congress proceeded to the election of three brigadiers, and the ballots being taken, the following gentlemen were chosen.

Colonel Edward Hand; colonel Charles Scott.

*Resolved*, That the election of the third brigadier general be postponed till to-morrow.

An appeal being lodged from the judgment of the court of Admiralty, for the state of Pennsylvania, on the libel John Balwin v. Robert Polke.

*Ordered*, That it be referred to the committee for hearing and determining appeals.

The committee on the treasury brought in a report, which was read and considered; whereupon

*Ordered*, That Messrs. Price and Haywood procure of general Schuyler, and the deputy paymaster general of the northern department, certificates of the specie which they have received, in consequence of an order of Congress, of the 13th of August last, and that the balance which shall appear to be due to them, on adjusting their accounts at the treasury office, be paid by a bill of exchange, to be drawn by the President on the Commissioners of the United States in France, and counter-signed by the auditor general.

*Ordered*, That the managers of the lottery of the United States, send such a number of tickets for sale, as they shall judge necessary to the paymaster and deputy paymaster general in the northern department.

For the better regulating the pay of the army;

*Resolved*, That the paymaster or deputy-paymaster general shall pay no money, but by warrants from the commanders in chief in their respective departments, countersigned by their respective secretaries; and that the money be paid only to the

person specified in the warrant, or to his order in writing excepting in cases otherwise provided by Congress.

That the regimental abstracts be made up by the regimental paymasters at the close of every month, and certified by the respective colonels, or commanding officers and brigadiers, who shall carefully examine and compare the same with the weekly returns; after which they shall be lodged with the paymaster, or deputy paymaster general, until orders are given for the payment.

That the regimental paymasters only shall receive from the paymaster, or deputy paymasters general the money due upon abstracts to the officers and soldiers; and the said regimental paymasters alone shall settle with, and pay, the money due to the officers and soldiers of the regiments to which they respectively belong, either in person or to their order, and take receipts for the same, to be produced as vouchers on the settlement of their respective accounts.

That officers and soldiers, who may be prisoners of war, shall be made up in the abstracts of the regiment to which they belong, to the time of their captivity, and authentic returns shall be made, with such abstracts of the names of the officers and soldiers aforesaid, their rank and the company to which they belong, the time of their captivity, and the pay that was then due. And whenever such prisoners are to be exchanged, a pay roll shall be made out by the paymaster, or deputy paymaster general, for the pay due to them, to the time of their return, and the money shall be sent to them, and paid by the officer appointed to receive them, and their receipts immediately lodged with the paymaster or deputy paymaster general.

That whenever any regimental paymaster leaves the service, or is dismissed, he shall make a return to the paymaster or deputy paymaster general of the names of the commissioned and non-commissioned officers and soldiers of his regiment, who remain unpaid, the sums due to them respectively, and what balance of cash he has remaining; all which shall be lodged with the paymaster, or deputy paymaster general, to be by him delivered to the next paymaster of the said regiment, or otherwise disposed of, as the commander in chief of the department may think proper.

That no commissioned or non-commissioned officer or soldier, coming from any department where a paymaster or deputy paymaster general is appointed, shall receive in any other department the pay that may be due to him, unless he produces a certificate from his colonel or commanding officer, countersigned by the paymaster, or deputy paymaster general of the department to which he belongs, of the sum bona fide due to him, and deliver the same with a receipt thereon.

*Resolved,* That the pay of the assistant paymasters, in the northern



northern department be augmented to forty dollars a month; and that they be allowed three rations a day.

*Resolved*, That the pay of the secretary to the commander in chief be augmented to one hundred dollars a month; and that Col. Harrison, the present secretary, be allowed that pay from the time of his appointment to that office.

The committee on the treasury reported,

That a warrant should be issued by the president on the loan officer for the state of Pennsylvania, in favour of Robert Morris, George Clymer and George Walton, esquires, a committee of Congress, for two hundred and fifteen thousand dollars, for which they are to account.

That another warrant issue on the same loan officer, in favour of the secret committee, for ten thousand dollars, for which the said committee shall account.

That James Wood, colonel of the 12th regiment of Virginia forces, in continental service, having borrowed of John Campbell, esquire, one thousand eight hundred dollars, for the use of his regiment, as appears by his receipts, and at the same time having drawn an order for the said sum, the same ought to be paid and charged to his account.

That there is due to James Warren, esquire, for the pay due to him as paymaster general, from the 4th of May to the 15th of June, 1776, being 42 days, at 1200 dollars per annum, 138.6 dollars, which sum should be paid by a warrant from the president on the loan office of the state of Massachusetts-Bay.

*Ordered*, That the said warrants be drawn, and sums paid accordingly.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That no officer already appointed, or to be hereafter appointed, in the army of the United States, shall take rank by virtue of a commission antedated, but rank shall be determined by the time of appointment, unless otherwise directed by special resolution of Congress.

*Resolved*, That it be recommended to the legislatures, and in their recess, to the executive powers of the respective states, that they forthwith transmit to the board of war exact lists of all officers appointed by them in the continental army, with the dates of their commissions and times of appointment.

*Ordered*, That major general St. Clair repair to Ticonderoga, and serve under general Gates; and that previous to his setting out, he repair immediately to Philadelphia, and there wait the further orders of Congress.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WED.

WEDNESDAY, April 2, 1777.

A letter of the 31st of March from general Washington, and one of the 19th of the same month, from the chevalier de Preudhomme de Borre were read.

*Ordered,* That the letter from the general be referred to the board of war.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

*Resolved,* That the paymaster, and deputy paymaster general, at the end of every month, after the first day of May next, shall make up rolls, containing the names of the general and other officers of the army, to which they respectively belong, who are not comprised in the regimental abstracts, excepting only the commander in chief of the several departments, who shall respectively examine such rolls, and issue their warrants on the paymaster or deputy paymaster general, for the sums due on the same.

That the commanders in chief of the several departments be directed to order payment to such officers and detachments of the army, as shall at any time be ordered to other departments, to be made to the day of their marching or leaving the camp, and that certificates be given by the respective paymaster or deputy paymaster general, mentioning the names of such officers and corps, together with the time to which they are paid, which certificates shall be delivered by the commanding officer of the respective detachments, or by such officers as shall be ordered without detachments, to the paymaster or deputy paymaster general of the department to which they are ordered, to enable him to examine and make up their future rolls and abstracts.

The committee appointed to confer with generals Gates and Greene, brought in a report, and desired leave to sit again.

*Ordered,* That they have leave, and that Mr. J. B. Smith be added to the said committee.

Congress proceeded to the election of a third brigadier, and the ballots being taken,

Colonel Ebenezer Learned was chosen.

*Ordered,* That a copy of the letter, this day received from general Washington, be sent to the council of Pennsylvania and to the governors of Delaware, Maryland and Virginia, and that governor Johnson, of Maryland, be requested to give orders for the immediate removal of the powder and military stores at Annapolis to the town of Frederick, in Maryland, and the powder and military stores at Baltimore to the town of Carlisle, in Pennsylvania, and take measures to have this done with all possible expedition.

Congress resumed the consideration of the report of the medical committee on the hospital, and after debate,

*Ordered,* That the same lie for farther consideration,

*Ordered,*

*Ordered.* That a committee of three be appointed, to revise doctor Shippen's plan for regulating the hospital, and report thereon.

The members chosen, Mr. Gerry, Mr. Burke, and Mr. J. Adams.

*Ordered,* That Mr. Sergeant have leave of absence, to visit his family.

*Ordered,* That the board of war grant such reward, as they judge proper, to the pilots who discovered and informed against James Moleſworth.

The ſeveral matters to this day referred being poſtponed, adjourned to 10 o'clock on Friday.

FRIDAY, April 4, 1777.

Mr. Sykes, one of the delegates from Delaware. attended, and produced the credentials of his appointment, which were read as follows :

“ In council, February 22, 1777. Whereas Nicholas Van Dike and James Sykes, eſquires, have been choſen by joint ballot of both houſes in the general aſſembly, to repreſent the Delaware ſtate in the continental Congreſs, in the room and ſtead of John Dickinson and John Evans, eſquires, *Reſolved,* That they, together with George Read, eſquire, or any one or more of them, are hereby fully authoriſed and empowered, for and in behalf of this State to concert, agree to and execute any meaſure, which they or he, together with a majority of the continental Congreſs, ſhall judge neceſſary for the defence, ſecurity, intereſt and welfare of this State in particular, and America in general, with power to adjourn to ſuch times and places, as ſhall appear moſt conducive to the public ſafety and advantage.—Sent for concurrence.—Eodem die, in aſſembly, read and concurred.—Extract from the minutes, Slaton Clay, clerk of the council.

Brigadier Armſtrong having requeſted leave to reſign, and for that purpoſe incloſed his commiſſion,

*Ordered,* That he have leave, and that his reſignation be accepted.

A remonſtrance and petition from ſundry perſons in York-Town, in Pennſylvania, was read.

*Ordered,* That the ſame, together with the papers incloſed, be referred to the board of treaſury.

*Ordered,* That the board of treaſury ſettle the accounts of col. Hand, who is promoted to the rank of brigadier, in order that he may deliver up his regiment, and enter upon the duties of his new office as ſoon as poſſible.

The ſecret committee having by direction of Congreſs, in their reſolve of the firſt of December laſt, appointed Meſſrs. Abraham Livingſton and William Turnbull agents, to repair to the

the eastern states, for the purpose of purchasing and collecting cloathing for the use of the army, which business they have assiduously performed, and for which purpose the said committee advanced to the said agents twenty thousand dollars at the time they set out, and the farther sum of one hundred and twenty thousand dollars, granted to them for that purpose the 15th of February last, as appears by the order of Congress of that date, and the receipts of these two sums are acknowledged by the said agents, in their letters dated the 19th and 22d of March last : It also appearing, that the said agents have drawn sundry bills on the said committee, which are not yet paid ; and whereas general Washington, agreeably to the powers vested in him by Congress, has lately appointed James Mease, esquire, clothier general for the American army, whose business it now is to settle and adjust all accounts respecting the cloathing of the army, Therefore

*Resolved*, That the secret committee be credited in the treasury books for 140,000 dollars paid by them to the said Messrs. Abraham Livingston and William Turnbull, and that the same be charged to James Mease, esqr ; who is to settle all accounts with the said agents, respecting the business in which they have been employed, and to pay the draughts they have drawn, or may rightfully draw on the said committee, or on him as clothier general, and that he also be impowered to make them reasonable compensation for their services.

The committee appointed to confer with general Greene, brought in a farther report, which was taken into consideration ; whereupon

*Resolved*, That there be one commissary-general of musters for the army of the United States ;

That there be four deputy muster masters general ;

That the said appointments be made by Congress :

That one deputy muster master be appointed to each grand division of the army, and that these appointments be made by the commander in chief.

That the troops be mustered once in every month by the deputy muster masters, and once at least in every three months the deputy muster master general of each department shall superintend at such muster.

That, in mustering, particular attention be paid to the cloaths, arms, accoutrements and pay of the troops, and a report made to the commanding officer of the department, of neglect or deficiency.

That on every muster five rolls be made out by the captain or commanding officer of every company or troop, sworn to and signed by him and one other commissioned officer ; one of which rolls shall be returned to him, certified by the officer of musters, one other shall be transmitted to the board of treasury, one to the



the paymaster general of the department, and one to the regimental paymaster, to be affixed to the pay rolls.

That the deputy muster master general of each department return an abstract of each muster roll once a month, to the deputy adjutant general of that department, and one other abstract to the commissary general of musters.

That the commissary general of musters return to the adjutant general, once a month, an abstract of all the musters, regimentally digested, together with an abstract of the rations drawn or retained by the several regiments.

That the issuing commissaries be obliged to deliver monthly to the commissary general of musters, an abstract of the rations drawn or retained by the several regiments.

That the adjutant general be ordered to send monthly to the board of war a copy of the abstracts, which he received from the commissary general of musters, together with an abstract of the returns of the army.

That the pay of the commissary general of musters be 60 dollars a month, and 4 rations a day.

That the pay of the deputy muster master general be 50 dollars a month, and 2 rations a day.

That the pay of a muster master be 35 dollars a month, and 2 rations a day.

That the board of war send to the board of treasury copies of the abstracts of rations, that may be included in the adjutant general's returns.

*Ordered*, That Monday next be assigned for the appointment of the commissary general of musters, and deputy muster masters general.

*Resolved*, That every officer, commanding a regiment, troop or company, who shall, upon notice given to him by any officer of musters, refuse or neglect to assemble the regiment, troop or company under his command, shall, on proof thereof, before a general court martial, be cashiered.

A letter of the 18th of December last, from George Galphin, was read.

*Ordered*, That the same, with the papers inclosed, be referred to the committee on Indian affairs.

*Resolved*, That the body of militia, applied for to the state of North-Carolina, during the last winter, by the state of South-Carolina, then under apprehension of an invasion from the enemy, be considered as part of the five thousand militia, recommended by Congress to be embodied by the state of North-Carolina, for the assistance of South-Carolina or Virginia, as occasion might require, and that the expence thereby accruing, be defrayed out of the continental treasury.

*Resolved*, That all captures made or to be made by vessels bearing commissions, issued by the President of South-Carolina, previous

previous to this 4th day of April, be considered as valid, as if made under continental commissions. and that a copy of this resolve be transmitted to each of the United States, as a law in any prize cause, which may be depending or instituted in any of the courts therein, and to secure the condemnation of vessels taken under such commissions. Congress having been made acquainted, that Mr. President Rutledge has granted commissions for letters of marque and privateers, for want of proper information, that by a former resolve of Congress such commissions were to be granted by Congress only.

*Resolved*, That the invitation given, at the desire of Mr. President Rutledge by Mr. Galphin, to the Creek Indians, to form a Congress in the ensuing spring, be approved; that the state of South-Carolina be reimbursed the expences, which may attend such meeting, and that Mr. Galphin do use his endeavours to persuade some of the Creek chiefs to attend him to Philadelphia, and that Congress will defray the charges of their journey.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That blank commissions be sent to Henry Fisher, of Lewis-Town, with orders to raise on the continental establishment an independent company, for the safe guard of the pilots and the persons and goods of other well affected inhabitants and subjects of these states, residing or being near Lewis-Town and the coasts of Delaware bay; and that Mr. Fisher be informed, that if he chuses to accept the command of the company. Congress will confirm him therein; but if he should decline the acceptance thereof, that he be desired to nominate a proper person to fill that station, and in either case, that he nominate the subalterns.

*Resolved*, That the managers of the lottery of the United States be empowered to order monies, arising from the sales of tickets in those States, where there are no commissioners of the loan office, to be paid into the treasury of such State, the said State to be accountable.

That the managers of the lottery of the United States be authorised to defer the drawing of the said lottery, if they find it necessary.

The committee on the treasury reported,

That there is due to James Smythers, for a copper-plate and planishing, made by David Cummings, for the purpose of printing the loan office certificates and engraving the same, 37.60 dollars.

To Gerrard Hopkins, for 26 cloak pins and putting them up, for the use of Congress, at Baltimore, 3.24 dollars.

That R. R. Livingston, R. T. Paine and J. Langdon, esqrs. a committee of Congress, who in November, 1775, repaired to Ticonderoga, expended on the journey 510.43 1-2 dollars

for

for which they ought to have credit, together with the sum of 101 dollars, returned by Mr. Paine into the hands of John Gibson, esqr. the auditor general, with which he is to be charged.

*Ordered,* That the said sums be paid, and the said credit and debit made accordingly.

A letter of this day from col. B. Flower, commissary general of military stores, was read.

*Ordered,* That it be referred to the board of treasury.

The committee on the hospital brought in a report, which was read.

*Ordered,* That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, April 5, 1777.

A letter of the 2d, from general Washington, inclosing a copy of one of the 29th of March, from brigadier M'Dougal, giving an account of the enemy's attack on Peek's-kill was read.

*Ordered,* That the baron d'Arendt, colonel of the German battalion, repair immediately to head-quarters.

*Ordered,* That two months pay be advanced to col. d'Arendt, he to be accountable.

*Ordered,* That 1000 dollars be advanced to the delegates of Connecticut, and charged to the account of that State.

Whereas the general assembly of the State of Rhode-Island and Providence plantations did, at their session in October last, pass a resolve, empowering the governor to grant commissions or letters of marque and reprisals to private vessels of war, giving such instructions, and taking such bonds as should be agreeable to the resolutions of Congress, until commissions could be procured from Congress;

*Resolved,* That acts done under such commissions, as have hitherto been granted by the governor of the said State, by virtue of the said resolve, be of the same force and validity, as if they had been granted by Congress, under the signature of the President.

That it be recommended to the governor of the State aforesaid, not to grant any more commissions, to recal such as he may have issued, and to deliver out continental commissions in their stead.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved,* That the case of doctor Connolly be committed to the Supreme Executive Council of the State of Pennsylvania; and that it be recommended to them, to examine into the matter, and, if they think proper, to indulge the prisoner with

such liberty as they shall conceive to be consistent with the public safety.

*Ordered*, That 2000 dollars be advanced to Carpenter Wharton, for the public service, he to be accountable.

Congress took into consideration the report on the hospital, and after some time spent thereon,

*Ordered*, That the farther consideration thereof be postponed to Monday next.

The committee on the treasury reported,

That there should be paid to the State of South Carolina the sum of three hundred dollars, being so much received of the said State by Jacob Morris, aid de camp, for account of general Lee, the general to be charged with the same.

That there is due to captain Matthew Duncan, for his pay from the 5th of January, 1776, to the 5th of January, 1777, being 12 months, at £.10 a month, £.120 for his rations, from the 25th of September, to the 5th of January, being 101 days, at three rations a day, 303 rations, at 8d. £.10 2 ; and for his arms and accoutrements, lost at the attack on Quebec, at which time he was a volunteer, £.8 the whole being £.148 2, dollars at 7/6d. is 394.4 dollars.

That there should be paid to Lowman and Hubley 6000 dollars, being so much borrowed of them by lieut. col. Antil, for the use of col. Hazen's regiment, and for which col. Hazen is to be accountable.

That there should be paid to William Attle, esquire, the sum of 4000 dollars, being so much borrowed of him by lieut. col. Antil, for the use of col. Hazen's regiment, and for which col. Hazen is to be accountable.

That there should be advanced to Ephraim Blaine, esquire, in part payment of the balance due to him for provisions, furnished the troops, and in advance towards his furnishing provisions, in consequence of his late appointment, 15,000 dollars.

That there should be advanced to col. Benjamin Flower, commissary general of military stores, for the use of his department, the sum of one hundred thousand dollars, he to be accountable.

That there should be paid to Samuel Wheeler, for one wrought iron 3 pounder field piece, the sum of 161.30 dollars.

*Ordered*, That the same sums be paid.

*Ordered*, That 6000 dollars be paid William Wilson, for account of col. G. Morgan, who is to be accountable.

*Ordered*, That the arrears of pay, due to brigadier Armstrong, to the time of his resignation, be paid him, and that there be also paid to him the arrears of pay, due to his brigade major.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.



M O N D A Y, *April 7, 1777.*

*Ordered,* That 500 dollars be paid to capt. Bartholomew Burke, for the purpose of recruiting a company; the same being in full of an order in his favour on William Palfrey, esquire, by general Washington, dated at head-quarters, Morris-Town, the 4th of March, 1777.

*Ordered,* That the resolution passed on Saturday, respecting John Connolly, be for the present suspended.

A letter of this day from James Mease, and an extract from the minutes of the Council of the State of Pennsylvania, were read.

*Ordered,* That the same be referred to the board of treasury, and that the council of the State of Pennsylvania be desired to lay before the board of treasury an account of the expensiture of the money advanced to their State by Congress.

A letter of the 24th of March, from the Council of Massachusetts-Bay; one of the 29th of the same month, from William Finnie, deputy quarter-master general in Virginia; one of the 5th instant, from general Putnam, at Princetown, with sundry papers inclosed; one of the 24th of March, from col. G. Morgan, at fort Pitt, with sundry papers inclosed; and one of the same date, from H. Crawford, with the proceedings of a council of war, and sundry other papers inclosed, were read.

A memorial from sundry inhabitants of Westmoreland, in Pennsylvania; and a representation from lieut. col. Antil, in favour of adjutant Minyer, were read.

*Ordered,* That the letters from col. George Morgan and H. Crawford, with the papers inclosed, be referred to the board of war; and that the said board send with all possible dispatch such a supply of rifles, ammunition and military stores as they shall judge necessary for the protection and defence of the inhabitants of the western frontiers, against any hostile attempts of the Indians, or others.

Major general Schuyler attended and took his seat in Congress as a delegate from the State of New-York.

William Duer, esquire, a delegate from New-York, also attended and produced the credentials of his appointment, which were read as follows:

“In convention of the representatives of the State of New-York, March 29th, 1777, *Resolved,* That William Duer, esquire, be and is hereby appointed a delegate or representative of this State, in Congress. By order, Abraham Ten Broeck, President. Attested, John M’Kesson, secretary.”

A letter of the 20th January, and one of the 1st of March, from the convention of New-York, with an extract from the minutes of the committee of safety of the said State, dated the 20th of January, 1777; also a petition from col. Seth Warner, were laid before Congress and read.

*Ordered,* That the letter from the council of Massachusetts-Bay be referred to the marine committee; that the letter from William Finnie, and the petition from colonel Warner, be referred to the board of war: That the letters from the convention of New-York lie on the table.

*Ordered,* That the deputy paymaster general in Virginia pay to the governor and council of Virginia 4000 dollars, for the purpose of paying the bounties of the 200 men ordered to be raised for garrisoning the forts on the Ohio.

*Ordered,* That 1000 dollars be advanced to Robert Jewel, keeper of the state prison, he to be accountable.

A letter from John House, master of the sloop Fortune, was read.

*Ordered,* To lie on the table.

*Ordered,* That the state of the military chest in the northern department be referred to the board of treasury.

*Ordered,* That the storekeeper of the magazine of provisions at Lebanon, in Pennsylvania, deliver to Ephraim Blaine, esquire, forty barrels of beef and forty barrels of pork; the said E. Blaine to be accountable.

Congress resumed the consideration of the report on the hospital; whereupon

*Resolved,* That there be one director general of all the military hospitals which shall be erected for the continental army in the United States, who shall particularly superintend all the hospitals between Hudson's and Potomac rivers.

That there be one deputy director general, who, in the absence of the director general, shall superintend the hospitals to the eastward of Hudson's river.

That there be one deputy director general, who, in the absence of the director general, shall superintend the hospitals in the northern department.

That when the circumstances of the war shall require it, there be one deputy director general, who, in the absence of the director general, shall superintend the hospitals in the southern department.

That the director general, or, in his absence, the deputy director general in each respective department, be empowered and required, with the advice and consent of the commander in chief therein, to establish and regulate a sufficient number of hospitals at proper places for the reception of the sick and wounded of the army, to provide medicines, instruments, dressings, bedding, and other necessary furniture, proper diet, and every thing requisite for the sick and wounded soldiers, and the officers of the hospitals; to pay the salaries, and all other expenses of the same.

That there be assistant deputy directors, to superintend the hospitals committed to their care, and assist in providing the articles  
before

before specified under the orders and controul of the director or deputy director general of the respective districts.

That there be one apothecary general for each district, whose duty it shall be to receive, prepare and deliver medicines, and other articles of his department to the hospitals and army, as shall be ordered by the director general, or deputy directors general respectively.

That the apothecaries be allowed as many mates as the director general, or respective deputy director general, shall think necessary.

That there be a commissary of the hospitals in each of the aforesaid districts, whose duty it shall be to procure, store and deliver provisions, forage and such other articles as the director or deputy director general shall judge necessary for the use of the hospitals; in the purchase of which he shall frequently consult with the commissary and quarter master general, and be regulated by the prices which they give.

That the commissary be allowed such assistants and storekeepers as the director general, or deputy director general of the district shall judge necessary.

That a steward be allowed for every hundred sick or wounded, who shall receive provisions from the commissary, and distribute them agreeable to the orders of the director general or, in his absence, of the deputy director general, or physician, or surgeon gen. and be accountable to the commissary for the same.

That a matron be allowed to every hundred sick or wounded who shall take care that the provisions are properly prepared; that the wards, beds and utensils be kept in neat order, and that the most exact economy be observed in her department.

That a nurse be allowed for every ten sick or wounded, who shall be under the direction of the matron.

That an hostler or stabler be allowed to each hospital, to receive the horses from the commissary, and to take care of the waggon and other horses belonging to the hospital, pursuant to orders from the director general, or, in his absence, the deputy director general, or such other officer as he shall appoint.

That there be a clerk in each district, whose business it shall be to keep the accounts of the hospitals, and to receive and deliver the monies agreeable to the orders of the director or deputy director general.

That a sufficient number of assistant clerks be allowed.

That such officers and soldiers as the general shall order to guard the hospitals and to conduct such, as shall be weekly discharged the hospitals, to their respective regiments, shall, while on this duty, obey the director or deputy director general, or the physicians and surgeons general.

That the director and deputy directors general be respectively empowered to appoint and discharge their assistant deputy directors

directors and other said officers and attendants of the hospitals in such numbers as the necessities of the army may require, and the commanders in chief of the department shall in writing approve ; report of which to be immediately made to Congress, as hereafter directed.

That there be also one physician and one surgeon general in each district, to be appointed by Congress, whose duty it shall be respectively to superintend the practice of physic and surgery in all the hospitals of the district, to which they shall be appointed, and in the absence of the director or deputy director general, they shall have power to order the physicians, surgeons and other officers of the several hospitals to such duty as they shall think proper, and shall report weekly to the director general, or, in his absence, to the deputy director general, or, in his absence, to the assistant deputy director, the state and number of the sick and wounded in the hospitals, and the delinquent officers of the same, and see that such, as may be fit, shall be delivered every week to the officer of the guard, to be conducted to the army.

That there be allowed also senior physicians and surgeons, who shall attend, prescribe for, and operate upon and see properly treated such sick and wounded, as shall be allowed them by the director general, deputy director general. or assistant director, or physician or surgeon general ; the number for the district to be determined by the director or deputy director general, and appointed by the surgeon and physician general.

That there be also such a number of second surgeons as the director or deputy director general for the district shall judge necessary to assist the senior surgeons, and be under the same direction, and to be appointed by the physician and surgeon general as aforesaid.

That there be also such a number of mates as the director general or deputy director general of the district shall direct, who shall assist the surgeons in the care of the wounded, and see that the medicines are properly and regularly administered, and appointed in the manner before directed for senior and second surgeons.

That a suitable number of covered and other waggon, litters and other necessaries for removing the sick and wounded, shall be supplied by the quarter master or deputy quarter master general, and in cases of their deficiency, by the director or deputy director general.

That there be one physician and surgeon general for each separate army, who shall be subject to the orders and controul of the director general and deputy director general of the district wherein he acts ; That his duty shall be to superintend the regimental surgeons and their mates, and to see that they do their duty, to hear all complaints against the  
said



said regimental surgeons and mates, and make report of them to the director general, or, in his absence, to the deputy director, or, in their absence from the said army, to the commanding officer thereof, that they may be brought to trial by court martial for misbehaviour ; to receive from the director general or deputy director general a suitable number of large strong tents, beds, bedding, medicines and hospital stores, for such sick and wounded as cannot be removed to the general hospital with safety, or may be rendered fit for duty in a few days ; and shall also see that the sick and wounded, while under his care, are properly attended and dressed and conveyed when able to the general hospital, for which last purpose he shall be supplied by the director general or deputy director with a proper number of convenient waggons and drivers.

That each physician and surgeon general of the armies shall appoint such a number of surgeons, nurses and orderly men as the director or deputy director general shall judge necessary for the more effectual care and relief of the sick and wounded under the care of such physician and surgeon general as provided in the last foregoing section ; and the said physicians and surgeons general shall have under them in each army a steward to receive and properly dispense such articles of diet as the director general or deputy director general shall give, or order to be given him, by the commissary of the army or hospital.

That whenever any regimental surgeon or mate shall be absent from his regiment without leave from the said surgeon general, or the commander in chief of the army where his duty lies, the said surgeon general shall have power to remove such surgeon or mate, and forthwith to appoint another in his stead.

That the director, deputy directors, physicians and surgeons general, and all other officers before enumerated, shall be tried by a court martial for any misbehaviour or neglect of duty, as the commander in chief of the several armies shall direct.

That the physician and surgeon general of each army shall cause daily returns to be made to him of all the sick and wounded which have been removed to the hospitals, all that remain in the hospital tents, all that are become fit for duty, all that are convalescent, and all who may have died, specifying the particular maladies under which the sick and wounded labour.

That the said physicians and surgeons general shall cause weekly returns of the same to be made to the director or deputy director general respectively.

That the physicians and surgeons general of the hospitals cause like daily returns to be made in every hospital, and the like weekly returns to their respective directors, *mutatis mutandis*.

That the deputy directors general cause the like returns to be made once every month to the director general, together with the names and denominations of all the officers in the respective hospitals.

And

And that the director general shall make a like return for all the hospitals and armies of these United States once every month to the medical committee.

That the medical committee have power to appoint any of their members to visit and inspect all or any of the medical departments, as often as they shall think proper, to inquire into the conduct of such general officers of the hospital as shall be delinquent in this or any parts of their duty, and to report their names to Congress with the evidence of the charges, which shall be brought against them.

*Ordered*, That the farther consideration of the report be postponed till to-morrow.

The board of war brought in a report, which was taken into consideration ; whereupon

*Ordered*, That 6600 dollars be paid to colonel Abraham Bowman, of the eighth Virginia regiment, late Muhlenberg's, on account of pay due to the said regiment, the colonel to be accountable.

The several matters to this day referred being postponed, adjourned to 10 clock to-morrow.

T U E S D A Y, *April 8, 1777.*

*Ordered*, That 274 dollars be paid to John Cadwallader, esq. the same being in full of an order in his favour, drawn by general Washington, January 23, 1777, for so much advanced to captain James Lee's company of artillery.

*Ordered*, That a warrant for 12000 dollars be drawn on John Gibson, esquire. and another warrant on Michael Hillegas, esq. for 12000 dollars, both in favour of col. Stephen Moylan, these being in part of a warrant of general Washington, in favour of the said colonel Moylan.

That an order for twenty thousand dollars be drawn on the treasurer in favour of Jonathan Hudson, for the public service, the said Jonathan Hudson to be accountable.

The committee on the treasury reported.

“ That Mr. James Cuthbert, of Canada, supplied a detachment of the army while there under the command of brigadier general Thompson, with wheat, flour, boards and plank, to the amount of one thousand and sixty-three pounds seventeen shillings and two-pence, New-York currency ; of which sum, six hundred pounds were drawn for, on the paymaster general for the northern department, by John Winflow, the assistant paymaster, in favour of colonel Donald Campbell, deputy quarter master general, and by him indorsed to the said James Cuthbert, and by the last to Elias Boudinot, esquire, which said bill was by direction of the then commander in chief in Canada protested under a mistaken information, that the said Cuthbert was an enemy to his country : That on the 3d of August last general Thompson settled

settled the account with the said Cuthbert, and then drew a bill in his favour for the residue, being four hundred and sixty-three pounds, seventeen shillings, and two-pence, on William Palfrey, esquire, paymaster general, which was also endorsed to Mr. Boudinot, and remains unpaid. That Mr. Boudinot hath been too long kept out of his money, and has been at a considerable expence in soliciting payment, and that a warrant should now be granted for £.1106 : 9 : 7, New-York money, equal to 2766.18 dollars, and that the first mentioned draught for six hundred pounds, New-York currency, should be charged to Mr. Winslow, until he renders to the commissioners for settling accounts, vouchers of the expenditure of the provisions for the payment of which he drew his bill ;” whereupon

*Ordered*, That the said sum be paid and charged accordingly.

A letter of the 28th of March from governor Henry of Virginia, and a petition from sundry inhabitants of the New-Hampshire grants, accompanied with a number of papers, were read.

*Ordered*, That the letter from governor Henry be referred to the board of war : That the petition with the papers accompanying it, lie on the table.

*Resolved*, That a committee of three be appointed to prepare a plan for regulating the mode of receiving applications made to Congress.

The members chosen Mr. Gerry, Mr. S. Adams, Mr. Ellery.

*Ordered*, That the report of the committee of the whole house on the articles of confederation, be taken into consideration on Monday next, and that two days in each week be employed on the subject until it shall be wholly discussed in Congress.

The committee on the treasury reported that there is due to Frederick Bicking for 140 reams of paper for continental bills of credit, 1400 dollars.

To William Semple, Benjamin Harbeson, and Jonathan B. Smith, for the expence of conveying a waggon to Cambridge, and for conducting colonel Kirkland and son prisoners from Cambridge to Philadelphia; from 9th December to 16th January £.134 : 8 : 2, equal to 358.38 dollars.

That there should be advanced to the state of Pennsylvania, agreeable to the request of the council of the said state, the sum of one hundred thousand dollars, the said state to be accountable.

That there should be paid to the honorable board of war, to be by them sent to Jonathan Trumbull, esq. deputy pay-master general, for the use of the northern army, the sum of 400,000 dollars.

That there should be advanced to James Mease, esq. for the purpose of cloathing the army, the sum of 100,000 dollars.

*Ordered*, That the said sums be paid.

*Resolved*, That Michael Hillegas, esquire, treasurer, be directed to send from Baltimore to John Gibson, esquire, auditor-general, for public service, the sum of one million of dollars.



The committee on departments brought in a report, which was read.

*Ordered,* That it be taken into consideration on Thursday next.

The committee, to whom it was referred to consider what honours should be paid to the memories of generals Warren and Mercer, brought in a report, which being read, was agreed to as follows.

That a monument be erected to the memory of general Warren, in the town of Boston, with the following inscription.

In honor of

JOSEPH WARREN,

Major general of Massachusetts-Bay.

He devoted his life to the liberties

of his country,

and, in bravely defending them, fell

an early victim,

in the battle of Bunker's hill,

June 17, 1775.

The Congress of the United States,

as an acknowledgment of his services,

and distinguished merit,

have erected this monument

to his memory.

That a monument be erected to the memory of general Mercer, in Fredericksburg, in the state of Virginia, with the following inscription.

Sacred to the memory of

HUGH MERCER,

Brigadier general in the army of

the United States.

He died on the 12th of January, 1777, of the

wounds he received on the 3d of the same month,

near Princetown, in New-Jersey,

bravely defending the liberties of

America.

The Congress of the United States,

in testimony of his virtues, and their gratitude,

have caused this monument to be erected.

That the eldest son of general Warren, and the youngest son of general Mercer, be educated from this time at the expence of the United States.

*Resolved,* That the following gentlemen be appointed officers in the regiment commanded by colonel Hazen.

Matthew



Mathew M'Connel, Robert Burns, John Carlisle, Benjamin Chambers, James Rodolph Reid, William Popham, John Thompson and James Heron, captains.

— Duncan, William Erskine, Michael Gilbert, John Hughes, Reuben Taylor, Samuel Alexander, Thomas Picy and Robert Campbell, first lieutenants.

John Gibson, Michael Montgomery, James Stedman, Alexander Teas, William M'Michael, James Anderson, Robert Craig and William Stewart, second lieutenants. James Thompson, quarter-master.

*Resolved*, That it be recommended to the governor and council of safety of New-Jersey, not to call into the field such part of their militia, not exceeding forty, as are necessarily employed in the salt works now erecting in their state by the government of Pennsylvania, provided it be not inconsistent with the laws of that state.

A letter of the 5th from general Washington, with a letter and papers inclosed from the chevalier d'Preudhomme de Borre, also a letter of the 2d from the convention of New-York, were read.

*Ordered*, That the letter from general Washington with the papers inclosed, be referred to the committee on foreign applications.

That the letter from the convention of New-York be referred to the board of war.

Congress resumed the consideration of the report on the hospital; whereupon

*Resolved*, That in time of action and on any other emergency, when the regimental surgeons are not sufficient in number to attend properly to the sick and wounded, that cannot be removed to the hospitals, the director or deputy director general of the district be empowered and required, upon the request of the physician and surgeon general of the army, to send from the hospitals under his care to the assistance of such sick or wounded, as many physicians and surgeons as can possibly be spared from the necessary business of the hospitals.

That the director, deputy directors general, assistant deputy directors, physicians and surgeons general, be; and they are hereby required and directed to, employ such parts of their time, as may conveniently be spared from the duties before pointed out to them, in visiting and prescribing for the sick and wounded of the hospitals under their care.

That the establishment of the medical department be as follows,

Director general,	-	6 dollars a day & 9 rations.
Deputy director general	-	5 do. 6 do.
Assistant deputy director,	-	3 do. 6 do.
Physician general and	}	5 do. 6 do.
Surgeon general each,		
Physician and surgeon general of the army,		5 dol. 6 do.

Senior surgeons each,	-	4 dollars,	6 rations.
Second surgeons each,	-	2 do.	4 do.
Surgeons mates each,	-	1 1-3 do.	2 do.
Apothecaries general each,	-	3 do.	6 do.
Ditto mates each,	-	1 1-3 do.	2 do.
Commissary,	-	2 do.	4 do.
Clerk, who is to be paymaster,	-	2 do.	4 do.
Assistant clerks each,	-	2-3 do.	1 do.
Stewards each,	-	1 do.	2 do.
Matron,	-	1-2 do.	1 do.
Nurses each,	-	$\frac{2}{9}$ do.	1 do.
Stabler	-	1 do.	1 do.
Regimental surgeons,	-	2 do.	4 do.
Ditto mates each,	-	1 1-3 do.	2 do.

Adjourned to 10 clock to-morrow.

W E D N E S D A Y, *April 9, 1777.*

A letter of the 8th from general Putnam at Princeton, was read.

*Ordered,* That a copy of the said letter be delivered by the delegates of Pennsylvania, to the executive council of the said state

*Ordered,* That 1300 dollars be advanced to Robert Ervin, waggon maker general, for the public service, he to be accountable.

A certificate from Artemas Ward, respecting Joseph Ward, was laid before Congress and read.

*Ordered,* That it be referred to the board of treasury.

A petition from sundry inhabitants of the town of Westmoreland, was read.

*Ordered,* To lie on the table.

*Resolved,* That a committee of five be appointed to consider what steps are proper to be immediately taken by Congress, and recommended to the state of Pennsylvania, for opposing the enemy, if they should attempt to penetrate through New-Jersey, or to attack Philadelphia.

That the said committee be instructed to confer on these subjects with the executive power of the state of Pennsylvania and with the general officers now in Philadelphia.

The members chosen, Mr. Wilson, Mr. Clymer, Mr. R. H. Lee, Mr. Clark, and Mr. J. Adams.

Sundry persons being nominated for the office of commissary general of musters.

*Resolved,* That the election be postponed till to-morrow.

*Ordered,* That to-morrow be assigned for nominating gentlemen for the offices of director and deputy directors general, physicians general and surgeons general of the military hospital, and of physicians and surgeons general of the respective armies, and that the election be on the day following.

The

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the commissary general of military stores, be directed immediately to furnish as many rifles, not exceeding one thousand, to be sent to fort Pitt, as he can procure, and that the quarter master general furnish such things as are in his department, for the use of the troops stationed at Pittsburg, and on the frontiers of Virginia and Pennsylvania, agreeable to a list furnished by col. George Morgan.

That an experienced officer be sent to fort Pitt to take the command on the frontiers aforesaid, and to embody such of the militia, not exceeding one thousand, there, as he shall think adequate to the defence of the country.

That the two hundred men directed by Congress to be raised by a resolution on the 8th January last, shall not be called to any other service, without their consent, than that expressed in the said resolution.

That one ton of lead be sent to Pittsburg from Philadelphia.

That the governor of Virginia be desired to send four tons of lead from that state to Pittsburg.

*Resolved*, That Jacob Baur be appointed a captain, and Lawrence Meyer a first lieutenant in the corps commanded by major Ottendorf.

*Resolved*, That it be recommended to the good people of the states to furnish the commissary general of military stores, with all such articles as he may want for the use of the army at a reasonable price ; and that the several legislatures or executive powers of the states, be desired to exempt from military duty all persons in the militia, who are or shall be employed in casting shot, and manufacturing military stores of every species, while such persons shall be employed in the said service.

The committee on the treasury reported,

“ That there is due to Christopher Ludwig, for maintaining Hessian prisoners, and for cash paid to several Hessian deserters who brought in their arms, 123.84 dollars.

*Ordered*, That the said account be paid.

The board of treasury brought in a report, which was taken into consideration, whereupon Congress came to the following resolution.

To remedy the inconveniencies arising from the payment of money by several paymasters in the same department.

*Resolved*, That the paymaster and deputy paymasters general, be directed forthwith to consult the commanders in chief of their respective districts, and appoint deputies to repair to such posts and places of rendezvous, and answer the draughts of such officers stationed thereat, as the said commanders in chief shall respectively direct ; that the deputies be supplied with money by the respective paymaster and deputy paymas-



ters general, and account with them therefor, and that all other paymasters of the army cease to act at the posts and places provided with deputies as afore said.

*Resolved*, That Mr. James Mease, and Mr. Richard Dalling, be directed forthwith to prepare and render to the commissioners for settling the accounts of the army, in the states of New-York and New-Jersey, their respective accounts for monies advanced to them by the United States, excepting only the sums received by the former as clothier general of the army; and the commissioners are directed to attend without delay to the settlement of their accounts,

That the commissioners to be appointed to examine such claims against the United States as may be presented to Congress for payment, when a necessary attention to their other duties will admit thereof, shall adjust the accounts of any public bodies, person or persons whatever, to whom money has been advanced by the United States, which may be referred to them by Congress or the board of treasury.

*Resolved*, That the pay of the last mentioned commissioners be four dollars a day.

*Ordered*, That the secret committee sell to the delegates of New-Jersey, a quantity of sulphur not exceeding 1000lb. if the same can be spared.

*Resolved*, That Timothy Hughes be appointed a captain in colonel Livingston's regiment.

Adjourned to 10 o'clock to-morrow.

#### THURSDAY, April 10, 1777.

A letter of the 8th from general Mifflin; a petition from Allen McDonnell, a prisoner at Reading; a petition from Thomas Lowry, and a letter of the 7th from Joseph Borden, and one of the 8th from Christian Febiger, were read.

*Ordered*, That the petition from Thomas Lowry be referred to the board of treasury.

That the letter from Joseph Borden, esquire, be referred to the board of war; and that they return a box of cartridges to the county of Burlington, in lieu of the box belonging to them, which was expended by continental troops.

*Resolved*, That one thousand dollars be advanced to lieutenant-col. Christian Febiger, for the use of his regiment; he to account with the paymaster general, when the first pay roll is made up for the said regiment.

*Resolved*, That an order for forty thousand dollars be drawn on the commissioners of the loan-office for the state of Pennsylvania, in favor of the navy board, the said board to be accountable.

The committee appointed to revise and amend the articles of war, brought in a report, which was read.

*Ordered*, To lie on the table.

The



The committee appointed to consider what steps are proper to be immediately taken by Congress, for opposing the enemy, brought in a report, which was taken into consideration; whereupon

*Resolved*, That a camp be immediately formed on the western side of Delaware, to which the continental troops now in Philadelphia, and on their march from the southward and westward, shall be ordered to repair with all expedition.

That it be recommended to the supreme executive council of the commonwealth of Pennsylvania, to put not less than three thousand of the militia of that state in readiness to march to the camp before mentioned, on the shortest notice.

That proper officers be immediately dispatched to inquire into the number and condition of the troops at Annapolis, and between that city and Philadelphia, and to hasten the march of such as are fit for service.

*Resolved*, That general Schuyler, be, and he is hereby directed to carry the foregoing resolutions into execution.

*Ordered*, That a copy of the foregoing resolutions be sent to the supreme executive council of Pennsylvania.

*Ordered*, That general Washington be immediately informed, by express, of the resolves now agreed on; and that Congress mean not, by forming a camp on the west-side of Delaware, to delay the continental troops, or to prevent their joining the army under his command as fast as he shall think proper to order them; and that the committee, who brought in the report, prepare a letter to the general, assigning the particular reasons that induced Congress to come into these resolutions.

*Resolved*, That Mr. James Mease be directed to advance to col. Joseph Wood, a sum sufficient to pay the arrears due to his battalion, taking his receipt for the money advanced, and transmit the same to the paymaster general, to be produced against him on the settlement of his accounts of his battalion.

The board of treasury brought in a report, which was taken into consideration, whereupon

*Resolved*, That general Washington be directed to transmit to the board of war, a list of his appointments, in consequence of the powers with which he is invested by Congress, together with a copy of all commissions originating from and issued by him.

That the commanders in chief of the several departments, previous to the discharge of any regiment or corps of militia reinforcing the army, be respectively directed to issue their warrants on the paymaster or deputy paymaster general for the amount of the pay due to the same; and when the military chest is unsupplied, the paymaster or deputy paymaster general is authorized to draw on the president for the amount of such warrants.

*Resolved*, That brigadier general Hand be, and he is hereby ordered immediately to repair to fort Pitt, and take measures for the defence of the western frontiers, agreeably to the resolutions of Congress passed on the 9th instant.

*Resolved*,

*Resolved*, That the commissary general of musters, have the rank of colonel in the army of the United States : That the deputy muster-masters general, have the rank of lieutenant colonels in the army of the United States.

Congress proceeded to election, and the ballots being taken, Joseph Ward, esq; was elected commissary general of musters; Richard Varick and William Bradford, jun. were elected deputy muster-masters general.

*Ordered*, That the election of the other two be postponed till to-morrow.

Adjourned to 10 o'clock to-morrow.

F R I D A Y, April 11, 1777.

A letter of the 9th from general Washington, one of the 8th from president M'Kinley, and one of the 9th from general Putnam, were read.

*Ordered*, That the letter from president M'Kinley be referred to the board of treasury.

*Resolved*, That president M'Kinley be requested, with the advice of his council, to appoint a suitable person to supply with provisions the company to be stationed for the protection of Lewistown and the neighbourhood.

A letter of the 10th from general Washington, with sundry papers inclosed, respecting the exchange of prisoners ; and a letter from the chevalier de Vrecount, were read.

*Ordered*, That the papers respecting the exchange of prisoners be published ; that the letter from the chevalier de Vrecount, be referred to the committee on foreign applications, and that the general's letter with the other papers be referred to the board of war.

Congress proceeded to the election of the two remaining deputy muster-masters general, and the ballots being taken, William Yates and George Noarth were elected.

Congress then proceeded to the election of officers in the hospital department, and the ballots being taken,

Doctor William Shippen, jun. was chosen by the unanimous ballot of the thirteen States, director general of all the military hospitals for the armies of the United States.

Doctor Walter Jones, physician general of the hospital in the middle department.

Doctor Benjamin Rush, surgeon general of the hospital in the middle department.

Doctor John Cochran, physician and surgeon general of the army in the middle department.

Doctor Isaac Foster, deputy director general of the hospital in the eastern department.

Doctor Ammi Ruhamah Cutter, physician general of the hospital in the eastern department.

Doctor

Doctor Philip Turner, surgeon general of ditto.

Doctor William Burnet, physician and surgeon general of the army in the eastern department.

Doctor Jonathan Potts, deputy director general of the hospital in the northern department.

Doctor Malachi Treat, physician general of ditto.

Doctor Forgue, surgeon general of ditto.

Doctor John Bartlett, physician and surgeon general of the army in the northern department.

*Resolved*, That a committee of three be appointed to make diligent enquiry respecting the truth of an information just given to Congress, of a quantity of provisions being laid up in the city of Philadelphia; and if upon enquiry the same be found true, to take effectual measures in conjunction with the board of war of Pennsylvania, for preventing the same from falling into the hands of the enemy.

The members chosen, Mr. Duer, Mr. S. Adams, and Mr. Clark.

The board of treasury reported,

That there is due to doctor J. Ramsey, and to be paid to the honorable Jonathan Elmer, for sundry medicines supplied the New-Jersey troops, 24.42 dollars.

To doctor James Tilton, for sundry medicines supplied the battalion of the state of Delaware, 26.60 dollars.

To doctor William Currie, for sundry medicines supplied the 5th, or colonel Johnston's Pennsylvania battalion, 135.56 dollars.

To John Skinner, for sundry provisions supplied the troops at Cranberry in the state of New-Jersey, and for his pay as assistant commissary, agreeable to his account as settled by Mr. Carpenter Wharton, deputy commissary general, 939.8 dollars; this sum being exclusive of waggonage and other charges to be settled in the quarter master general's department.

To William Whipple, esquire, for the expence of conveying 60,000 dollars from Philadelphia to the state of New-Hampshire, 69.9 dollars.

*Ordered*, That the said accounts be paid.

*Resolved*, That general Schuyler be directed to issue warrants on Mr. Mease, for the payment of arrearages due to the Maryland militia, that served in the army during the winter campaign.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That one hundred and seventy-five fire arms, either musquets or rifles, two hundred weight of powder, eight hundred weight of lead, and five hundred flints be sent to the town of Westmoreland, on the east branch of Susquehannah river, to the care of colonel Nathan Dennison, to be used by the militia there for the defence of the said town, if necessary; the arms to be returned when the service there will admit of it.



That the pay of the deputy quarter master general in the northern department be raised to 60 dollars a month in consideration of the extraordinary trouble that attends the execution of the office in that department.

That the pay of brigade majors in the continental army, be raised to 50 dollars a month.

That the pay of the regimental chaplains in the continental army be raised to 40 dollars a month.

That the pay of the judge advocate be raised to 60 dollars a month.

That colonel Morgan procure as much of the provision ordered by Congress to be laid up at fort Pitt, by their resolution of the 7th of January last, as general Hand shall think necessary.

That general Hand determine the number and kind of cannon necessary to be sent to fort Pitt.

That three tons of powder be sent to fort Pitt from Lancaster.

That colonel Flower, commissary general of military stores be empowered to purchase two hundred rifles and their accoutrements, to be sent to fort Pitt.

That general Hand have discretionary power as to the number of men to be embodied for the defence of the frontiers, if on any emergency, he shall think a greater number than one thousand necessary.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

*Resolved*, That the chevalier de Preudhomme de Borre, have the rank and pay of a brigadier general in the army of the United States of America, from the first day of December last; according to the compact made between him and the honorable Silas Deane, esquire.

Adjourned to ten o'clock to-morrow.

SATURDAY, April 12, 1777.

*Resolved*, That one hundred thousand dollars be advanced to doctor William Shippen, director general, for the use of the hospital; he to be accountable.

A letter of the 9th from commodore Hotham, on board the Roebuck, in old Hoarkil Road, directed to R. Morris, esquire, was laid before Congress and read.

*Ordered*, That the same be referred to the marine committee.

*Resolved*, That a committee of three, be appointed to devise ways and means of aiding the recruiting service, and preventing abuses therein.

The members chosen, Mr. Burke, Mr. Wilson, and Mr. R. H. Lee.

Congress proceeded to the election of commissioners, to examine such claims against the United States, as may be presented to Congress for payment; and the ballots being taken,

John



John Benezet, Robert Ritchie, and Thomas Fitzsimons, were elected.

*Resolved*, That the surgeons general and physicians general of the hospitals, shall each of them regulate the practice of both physic and surgery, and do the duty of physician and surgeon general in the hospitals respectively committed to their charge, and that the director and deputy directors general take proper care to keep the sick and wounded in separate departments.

A memorial from Robert Levers was read ; whereupon

*Resolved*, That Mr. Mease be directed to advance to Robert Levers, paymaster of the 12th Pennsylvania battalion, the sum of 2453 57 dollars ; and that the same be charged to his account, and his receipt transmitted to R. Dallam, esquire, that he may account for the same at the settlement of his accounts.

The committee on the post-office brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the post-master general be authorized to make an additional allowance to the deputy post-masters, of any sum not exceeding 200 dollars per annum, when he shall find the same to be absolutely necessary.

That 2000 dollars be advanced to the post-master general, he to be accountable.

*Resolved*, That five hundred dollars be allowed for erecting the monument to general Warren, and the like sum for erecting the monument to general Mercer.

*Resolved*, That it be recommended to the executive powers of Massachusetts Bay and Virginia, to take the most effectual measures for carrying into execution the resolutions of Congress, passed the 8th instant, respecting generals Warren and Mercer.

*Resolved*, That the commissioners for examining claims against the United States, shall take an oath of office and fidelity to the United States, to be administered by the president, and a certificate thereof filed in the treasury, previous to their entering upon the duty of their appointments.

A memorial from major Romand de Lisle ; a memorial from Monsieur Imbert, and one from Monsieur de Bordes, were read ; whereupon

*Ordered*, That the sum of 64 dollars be advanced to each of the memorialists, for the purpose of paying their passage to St. Domingo.

*Resolved*, That the count de Vreecourt be appointed an engineer in the service of the United States, with the rank and pay of a colonel.

Congress took into consideration the report of the committee on departments ; whereupon

*Resolved*, That the same be recommended.

The committee appointed to devise means for introducing better discipline in the army, brought in a report, which was read.

The committee of Congress at Philadelphia, which acted during the time Congress sat at Baltimore, produced a state of their accounts and expenditures, and also a copy of the letters and papers received, and of those written by them; whereupon

*Ordered*, That the accounts be referred to the board of treasury, and that the other papers be lodged in the secretary's office.

The committee of appeals having reported that they have heard the appeal entered on the part of Jonathan Burnel, and others, owners or claimants of the brigantine Sherburne, &c. from the verdict found, and sentence of condemnation passed in the court of admiralty for the port of Philadelphia, in the state of Pennsylvania, against the said brigantine, fully argued, and proceeded to give judgment thereupon, and the opinions of the said committee, to wit, James Wilson, Jonathan D. Sergeant, John Adams, Roger Sherman, Thomas Burke and William Ellery, being delivered, the said committee was equally divided, by reason whereof no judgment could be given.

Whereupon, in order that no failure of justice may ensue;

*Resolved*, That a committee of five be appointed to rehear and determine the said appeal.

The members chosen Mr. Heyward, Mr. R. H. Lee, Mr. Clymer, Mr. Duer and Mr. Rumsey.

Adjourned to ten o'clock on Monday.

MONDAY, April 14, 1777.

A letter of the 13th from general Putnam; one of the 12th from H. Fisher, at Lewistown; and one of the 2d from brigadier A. Wayne, at Ticonderoga, with sundry papers inclosed were read.

*Ordered*, That the letter from brigadier Wayne, with the papers inclosed, be referred to the board of war.

The board of war brought in a report, which was taken into consideration; whereupon

*Ordered*, That one thousand dollars be advanced to captain Samuel Kearsly, to enable him to raise the company to which he is appointed by general Washington.

*Resolved*, That the company appointed to be raised under the command of captain Samuel Morehead, for the defence of the frontier inhabitants and public stores, at and near the Kittaning, shall not be called to any other service without their consent.

*Resolved*, That Charles Seitz be appointed adjutant to the corps commanded by major Ottendorf, in the room of Bartholomew van Herr, appointed in the artillery.

The committee appointed to devise means for aiding the recruiting service, and preventing abuses therein, brought in a report, which was read and considered; whereupon

*Resolved*, That it be recommended to the executive powers of each of the United States, to enquire into the conduct of all officers

cers on the recruiting service within their respective states ; to remove such as belong to the battalions of their respective quotas, who have neglected their duty, or abused the trust reposed in them, and shall be found within their respective jurisdiction ; and to fill up all vacancies which may happen by such removals ; to transmit to Congress all such testimony as shall be taken against any officer or officers, who may have marched or removed from the state to whose battalions he or they belong, and against any officer or officers belonging to the quota of another state, who may have been guilty of neglect or misbehaviour in the state where the inquiry shall be made.

That it be recommended to the said executive powers to procure exact returns of the continental troops in each, and transmit the same to Congress without delay. And all officers and soldiers of the continental army, are hereby required to pay the strictest regard to the orders of the executive powers of the several states touching the aforesaid premises.

*Resolved*, That it be recommended to the legislatures of each of the United States, to enact laws exempting from actual service any two of the militia, who shall within the time limited by such laws, furnish one able bodied recruit to serve in any battalion of the continental army for the term of three years, or during the present war : such exemption to continue during the term for which the recruit shall enlist, every such recruit to be intitled to the continental bounty and other allowances.

That it be recommended to the legislatures aforesaid respectively, to enact laws compelling all such persons as are by laws exempted from bearing arms or performing militia duties, other than such as are specified in the foregoing resolve, to furnish such a number of able bodied soldiers, as the said legislatures respectively shall deem a proper equivalent for such exemptions ; such soldiers to be intitled to the continental bounty and other allowances, over and above such gratuities as they may receive from those who procure them to enlist.

Also to permit the enlisting of servants and apprentices, and to prohibit the imprisoning, or otherwise restraining the persons of soldiers in the continental service, for any debt not exceeding fifty dollars.

And whereas it is of the greatest moment to the cause of American freedom, that an army of considerable strength take the field early in the ensuing campaign ;

*Resolved*, That if the several quotas of the states cannot be furnished by the means recommended in the foregoing resolutions, or any other means by the said legislatures devised, before the fifteenth day of May next, it is recommended to each state to cause indiscriminate draughts to be made from their respective militia.

That it be recommended to the said legislatures to apply all the means by these resolutions recommended, in the manner which they



they shall judge most effectual for speedily compleating the army; and in case they shall prove unsuccessful, that they cause the draughts aforesaid to be made.

*Resolved*, That the executive power of each state, be authorized and empowered to order such officers as they shall judge proper from the respective battalions and companies of their respective quotas, to remain within the state for the purpose of aiding in inlisting and collecting the recruits, which may be furnished under the above recommended regulations, and to convey the same to the battalions and companies to which they belong; such officers to be under the direction of such executive powers respectively.

The committee appointed to confer with the board of war of Pennsylvania, brought in a report, which was read and considered; whereupon Congress came to the following resolutions;

Whereas the state of Pennsylvania is threatened with an immediate invasion, and from the adjournment of the legislative and executive authority of the commonwealth, it is impracticable to carry into immediate execution many measures of the utmost importance, not only to the safety of the said commonwealth, but likewise to the general welfare of the United States;

*Resolved*, That it is the indispensable duty of Congress to watch over all matters, the neglect of which, may, in its consequences, deeply affect the welfare of the United States, till such time as the legislative and executive authorities of the commonwealth of Pennsylvania can resume the exercise of their different functions.

*Resolved*, That his excellency the president of the supreme executive council of the commonwealth of Pennsylvania, be requested forthwith to convene the legislative and executive authorities of the state of Pennsylvania, in order that proper measures may be pursued for the defence of the same.

*Resolved*, That a committee of three be appointed to confer with the president of the supreme executive council, and such other members of the said council as can be convened, with the board of war for the state of Pennsylvania, and with the delegates of the said state in Congress, concerning the mode of authority which they shall conceive most eligible to be exercised during the recess of the house of assembly and the council, in order that the same, if approved by Congress, may be immediately adopted.

The members chosen, Mr. S. Adams, Mr. Duer, and Mr. R. H. Lee.

The committee appointed to revise and amend the articles of war, brought in a report, which was taken into consideration; whereupon

*Resolved*, That from and after the publication hereof the second article of the 8th section, the first article of the 11th section, the eighth article of the 14th section, and the second article of the 18th section, of the rules and articles for the better government



ment of the troops raised, or to be raised, and kept in pay, by and at the expence of the United States of America, passed in Congress the 20th day of September, one thousand seven hundred and seventy-six, shall be, and they are hereby repealed; and that the four following articles be substituted in the place and stead thereof.

Article 1. All officers and soldiers shall have full liberty to bring into any of the forts or garrisons of the United States of America, any quantity of eatable provisions except where any contracts are, or shall be entered into by Congress, or by their orders for furnishing such provisions, and with respect only to the species of provisions so contracted for.

Article 2. If any officer shall think himself to be wronged by his colonel, or the commanding officer of the regiment, and shall upon due application made to him, be refused to be redressed, he may complain to the continental general commanding in the state where such regiment shall be stationed, in order to obtain justice; who is hereby required to examine into the said complaint, and take proper measures for redressing the wrong complained of, and transmit as soon as possible to Congress a true state of such complaint, with the proceedings had thereon.

Article 3. No sentence of a general court-martial shall be put in execution, till after a report shall be made of the whole proceedings to Congress, the commander in chief, or the continental general commanding in the state, where such a general court-martial shall be held, and their or his orders be issued for carrying such sentence into execution.

Article 4. The continental general, commanding in either of the American states for the time being, shall have full power of appointing general courts-martial to be held, and of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the afore mentioned rules and articles for the better government of the troops; except the punishment of offenders under sentence of death by a general court-martial, which he may order to be suspended until the pleasure of Congress can be known, which suspension with the proceedings of the court-martial, the said general shall immediately transmit to Congress for their determination. And every offender convicted by any regimental court-martial, may be pardoned or have his punishment mitigated by the colonel or officer commanding the regiment.

*Resolved*, That the resolution passed the 27th of December last, for erecting a magazine and laboratory in the town of Brookfield, in the state of Massachusetts-Bay; be repealed; and that instead thereof, a magazine sufficient to contain ten thousand stand of arms, and two hundred tons of gun powder, and a laboratory adjacent thereto, be erected in Springfield, in the said state.

*Resolved*,

*Resolved*, That a committee of three be appointed to consider what reward it will be proper to offer for destroying or taking the enemy's ships of war and transports.

The members chosen, Mr. J. Adams, Mr. Roberdeau, and Mr. Wilson.

*Resolved*, That a committee of three be appointed to inquire into the mode heretofore observed by officers in making up their pay rolls, and to prepare a resolution for preventing any abuses therein.

The members chosen, Mr. Roberdeau, Mr. Burke, and Mr. Rumsey.

A memorial from James Caldwell, was read;

*Ordered*, That it be referred to the board of treasury.

The committee appointed to inquire into the conduct of the commissaries, reported;

“ That they have made the inquiry directed as far as time and opportunity would admit; and find that the conduct of several employed in that department is very exceptionable, discovering either a want of ability or integrity in discharging their trust, by which means the public will probably suffer great loss, and the same extravagance and dissipation of public money continue, while such numbers of disqualified persons are continued in that employ, who regardless of the general good, are raising the prices of the articles they purchase by bidding upon each other, under an idea of receiving commissions or compensations proportioned to the sums they expend.” Whereupon

*Resolved*, That for preventing the like impositions for the future, commissaries be commissioned by Congress in different districts under proper regulations, in which their duty shall be clearly ascertained.

*Resolved*, That the committee who brought in the foregoing report, be directed to prepare and bring in a draught of regulations for the purposes before mentioned.

*Ordered*, That Mr. Clark have leave of absence to visit his family.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, April 15, 1777.

A letter of the 12th from General Washington; one of this day from colonel Baron d'Arendt; one of the 21st of March from four officers of the British navy in Worcester jail; one of the 4th from the commissioners appointed by the states of New-York, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia, for the purpose of regulating the price of labour, manufactures, and internal produce within those states, &c. with a copy of their proceedings; also a letter from Ch. Adrian Fontaine, were read.

*Ordered*,

*Ordered*, That 70,000 dollars be advanced to Carpenter Wharton, for the public service ; he to be accountable.

The committee appointed to confer with the president and members of the supreme executive council of the commonwealth of Pennsylvania, the board of war of the said state, and the delegates representing the same in Congress, concerning the authority to be exercised during the recess of the council and Assembly, reported, “ That they have had a conference agreeable to the order of Congress, and that it appeared clearly to the members in conference, that the executive authority of the commonwealth of Pennsylvania is incapable of any exertion adequate to the present crisis ; and that it is of the greatest importance that every power should be called forth into action which may conduce to the safety of this state, with which the liberties and prosperity of the whole are so intimately connected ; from this consideration, and at the particular instance and request of the president of the supreme executive council, and the board of war of the state of Pennsylvania, they beg leave to recommend the following resolutions to be adopted by Congress :

That the president of the supreme executive council of the commonwealth of Pennsylvania, together with as many members of the said council as can be convened, the board of war, and in such cases as relates to the marine, the navy board of the said state, should in the present critical exigency of affairs exercise every authority to promote the safety of the state till such time as the legislative and executive authorities of the commonwealth can be convened :

That it be, and it is hereby earnestly recommended by Congress to the good people of Pennsylvania, cheerfully to submit to the exertion of an authority which is indispensably essential to the preservation of the lives, liberties and property of themselves, their families and posterity :

That the commanding officer of the continental forces in this city afford every possible assistance in carrying into execution all such measures as may be recommended to him by the authority above mentioned :

That Congress will cheerfully co-operate with the authority above mentioned, in facilitating every measure which may be deemed conducive to the safety of the state.” Whereupon

*Resolved*, That Congress concur with the committee, and agree to the resolutions proposed.

*Ordered*, That 7165 dollars be advanced by James Mease to Richard Stevens, esq ; paymaster of the 10th Virginia battalion, commanded by colonel Edward Stevens, for the purpose of paying the said battalion.

*Ordered*, That two months pay be advanced to colonel the chevalier de Vreccourt.



*Resolved*, That Monsieur du Pleffis be recommended to general Washington, to be appointed a captain in the artillery.

*Resolved*, That an allowance of one hundred and twenty-five dollars a month be made to brigadier general Robert Howe, to commence at the time he was left by major general Lee to command in South-Carolina and Georgia ; the said allowance being considered as necessary to defray the expences of his table while he commands there, and to continue so long as he shall be in such command ; and that the said allowance be made to any officer of equal rank who shall hereafter succeed to the said command in that department.

The board of war brought in a report, which was taken into consideration ; whereupon

*Ordered*, That 4000 dollars be advanced to brigadier Hand, to erect such works at Pittsburg as he shall think necessary, and towards contingent expences ; he to be accountable.

*Resolved*, That brigadier general Lewis's resignation be accepted.

A petition from Walter Drummond was read ;

*Ordered*, That it be referred to the board of treasury.

Whereas the continental battalions are all on a footing, liable to the same kind of services, and intitled to equal privileges ;

*Resolved*, That the appellations, " Congress's own regiment," " general Washington's life guards," &c. given to some of them, are improper and ought not to be kept up ; and the officers of the said battalions are required to take notice hereof, and to conform themselves accordingly.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### WEDNESDAY, April 16, 1777.

A letter of the 12th from general Washington, and one from him of the same date, to the committee appointed to write to him, were read.

*Ordered*, That the last be referred to general Schuyler, who is directed to carry into execution the measures therein recommended.

Sundry letters being intercepted by the Pennsylvania board of war, were laid before Congress and read ; whereupon Congress came to the following resolution :

Whereas it appears to Congress from the letters intercepted by the Pennsylvania board of war, that certain persons inimical to the liberties of America have invited the enemy to attempt a surprize on this city, in order to make themselves masters of the stores and provisions now in it ; and whereas it is apprehended that the executive authority at present exercised in the state of Pennsylvania, will be so occupied with matters of the highest importance to the safety of the state, as not to be able to attend to the removal of the said stores and provisions in due time ;

*Resolved*,



*Resolved*, That it be recommended to the president and members of the executive authority of this state, to request the commanding officer of the continental forces in this city to take the most effectual means that all provisions and every other article, which by falling into the hands of the enemy may aid them in their operations of war against the United States, or the loss of which might distress the continental army, be immediately removed to such places as he shall deem most convenient and secure.

An appeal being this day delivered to the secretary from the judgment of the court of admiralty held at Plymouth, in the state of Massachusetts-Bay, for the counties of Plymouth, Barnstable, Bristol, Nantucket and Duke's county, on a libel against the schooner Industry, Charles Coffin, master, which appeal was made in the court aforesaid on the 23d day of October, 1776, the judgment of Congress was taken, whether the same should be received; whereupon

*Resolved*, That the said appeal be received and referred to the committee on appeals.

The house being moved to pass a resolution;

*Resolved*, That it be referred to a committee of four.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. R. H. Lee, and Mr. Witherpoon.

*Ordered*, That 2133 1-3 dollars be advanced to Samuel Wheeler, on account of Iron field pieces he has contracted to make for the continent; he to be accountable.

*Resolved*, That two months pay be advanced to Monsieur du Plessis; he to be accountable.

*Resolved*, That Carpenter Wharton be directed to deliver to the order of brigadier general Hand, two hundred bushels of salt for the use of the forces on the western frontiers.

*Resolved*, That it be recommended to the general assembly of the state of Rhode-Island and Providence plantations, to collect, with the utmost dispatch, the whole force thereof, and therewith, aided by such parts of the militia of Massachusetts-Bay and Connecticut as are contiguous to the said state, to attack and destroy the enemy on the island of Rhode-Island aforesaid.

*Resolved*, That it be and it is hereby recommended to the states of Massachusetts-Bay and Connecticut, to give every assistance in their power by calling out the militia of their respective towns, which lie next to the state of Rhode-Island, and to promote and execute this important service.

*Resolved*, That general Washington be directed to appoint such general officer as he shall judge proper to carry the foregoing resolution into effect.

*Ordered*, That copies of the foregoing resolutions be sent by express to general Washington, and the three New-England states.

Congress being informed that divers ill affected persons have in contemplation to destroy the ferry boats on Hudson's river above

Saratoga, at the time the enemy's army arrives from Canada, in order to obstruct the movements of the American troops and to distress them ;

*Resolved*, That general Gates be informed of this by express, and that he be directed to take timely and effectual measures to prevent the execution of this pernicious project.

*Resolved*, That the report on the quarter master's department be recommitted, and that the committee be directed to confer with general Schuyler on the subject.

The committee appointed to prepare a plan for regulating the mode of receiving applications to Congress, brought in a report, which was read.

The several matters to this day referred being postponed ; adjourned to 10 o'clock to-morrow.

THURSDAY, April 17, 1777.

*Resolved*, That general Schuyler be empowered and directed to draw warrants for the payment of the arrears due to the Pennsylvania and Delaware militia, as well as to the Maryland militia, who were called into the service of the continent during the course of last winter.

Congress took into consideration the report of the committee on the means of introducing better discipline in the army, and after debate,

*Ordered*, That it be recommitted, and that two members be added to the committee.

The members chosen, Mr. Gerry and Mr. Duer.

*Resolved*, That the stile of the committee of secret correspondence be altered, and that for the future it be stiled the committee of foreign affairs :

That a secretary be appointed to the said committee with a salary of seventy dollars a month :

That the said secretary, previous to his entering on his office, take an oath to be administered by the president, " well and faithfully to execute the trust reposed in him according to his best skill and judgment, and to disclose no matter, the knowledge of which shall be acquired in consequence of such his office, that he shall be directed to keep secret," also the oath prescribed for officers of the army and passed the 21st day of October, 1776, and that a certificate thereof be given by the president and lodged with the secretary of Congress.

Congress proceeded to the election of the said secretary, and the ballots being taken,

Thomas Paine was elected.

The committee on the treasury reported,

That there is due to doctor William Smith, continental drug-gift, for sundry medicines purchased by him for public use 2820. 30 dollars, and for sundry medicines supplied by him for the use

of the brig Lexington, 121.38 dollars, both sums making 2925.28 dollars.

To doctor William Currie, for sundry medicines supplied the sick of the 4th and 6th Virginia regiments, 99.66 dollars.

To T. Batell, for the maintenance of lieutenant Ball, a British prisoner, 24.55 dollars, for the payment of which a warrant should be drawn on the commissioner of the loan office for the state of Delaware.

That there should be advanced to the state of Delaware, and paid to John M'Kinley, esquire, president of the said state, the sum of 1500 dollars for the use of a guard ordered by Congress to be placed at Lewistown, &c. and that the same be drawn for on the commissioner of the loan office for the said state.

*Ordered,* That the said sums be paid accordingly.

*Ordered,* That 10,000 dollars be advanced to the delegates of Georgia for the use of that state, which is to be accountable.

It being represented to Congress by the delegates of Maryland, that there is imminent danger of an insurrection in the counties of Summerfet and Worcester, and that the insurgents may be joined by disaffected persons in the county of Suffex in the state of Delaware; and application being made by the said delegates for a continental battalion to be placed in the county of Summerfet, to overawe and quell the insurgents.

*Resolved,* That a committee of four be appointed to devise ways and means of suppressing the spirit of toryism in the counties of Summerfet, Worcester and Suffex, and preventing them from taking measures prejudicial to the cause of the United States.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. Wilson and Mr. Rumsey.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

F R I D A Y, April 18, 1777.

*Resolved,* That the sum of 2333.30 dollars be paid to Gofvinus Erkelens, esquire, or order, the same being in full of an order in his favour drawn by Joseph Trumbull, and dated at Hartford, 21st of March, 1777.

That the further sum of 1000 dollars be paid to the said Gofvinus Erkelens, or order, the same being in full of another order in his favour drawn by the said Joseph Trumbull, dated at Hartford, 21st of March, 1777; and that both sums be charged to the account of the said Joseph Trumbull.

A petition from Thomas Moody, was read;

*Ordered,* That the same be referred to general Mifflin, the quarter-master general.

The committee appointed to inquire into the conduct of the enemy, reported:

“ That



“ That every place where the enemy has been, there are heavy complaints of oppressions, injury and insults suffered by the inhabitants from officers, soldiers and Americans disaffected to their country's cause. The committee found these complaints so greatly diversified, that as it was impossible to enumerate them, so it appeared exceedingly difficult to give a distinct and comprehensive view of them, or such an account as would not, if published, appear extremely defective, when read by the unhappy sufferers or the country in general.

In order however in some degree to answer the design of their appointment, they determined to divide the object of their enquiry into four parts. First, The wanton and oppressive devastation of the country and destruction of property. Second, The inhuman treatment of those who were so unhappy as to become prisoners. Third, The savage butchery of many who had submitted or were incapable of resistance. Fourth, The lust and brutality of the soldiers in the abusing of women.

They will therefore now briefly state what they found to be the truth upon each of these heads separately, and subjoin to the whole affidavits and other evidence to support their assertions.

1. The wanton and oppressive devastation of the country and destruction of property.

The whole track of the British army is marked with desolation and a wanton destruction of property, particularly through West-Chester county in the state of New-York; the towns of Newark, Elizabethtown, Woodbridge, Brunswick, Kingston, Princeton, and Trenton in New-Jersey. The fences destroyed, the houses deserted, pulled in pieces or consumed by fire, and the general face of waste and devastation spread over a rich and once well cultivated and well inhabited country, would affect the most unfeeling with melancholy or compassion for the unhappy sufferers, and with indignation and resentment against the barbarous ravagers. It deserves notice that though there are many instances of rage and vengeance against particular persons, yet the destruction was very general and often undistinguished; those who submitted and took protections, and some who were known to favour them, having frequently suffered in the common ruin. Places and things, which, from their public nature and general utility, should have been spared by a civilized people, have been destroyed or plundered, or both. But above all, places of worship, ministers and religious persons of some particular protestant denominations seem to have been treated with the most rancorous hatred, and at the same time with the highest contempt.

2. The inhuman treatment of those who were so unhappy as to become prisoners.

The prisoners, instead of that humane treatment which those taken by the United States experienced, were in general treated with the greatest barbarity. Many of them were near four days kept



kept without food altogether: When they received a supply, it was both insufficient in point of quantity and often of the worst kind: They suffered the utmost distress from cold, nakedness, and close confinement: Freemen and men of substance suffered all that a generous mind could suffer from the contempt and mockery of British and foreign mercenaries: Multitudes died in prison; and when others were sent out, several died in the boats while carrying ashore, or upon the road attempting to go home. The committee in the course of their enquiry learned, that sometimes the common soldiers expressed sympathy with the prisoners, and the foreigners more than the English. But this was seldom or never the case with the officers; nor have they been able to hear of any charitable assistance given them by the inhabitants who remained in, or resorted to the city of New-York; which neglect, if universal, they believe was never known to happen in any similar case in a christian country.

3. The savage butchery of those who had submitted and were incapable of resistance.

The committee found it to be the general opinion of the people in the neighbourhood of Princeton and Trenton, that the enemy the day before the battle of Princeton had determined to give no quarter. They did not however obtain any clear proof, that there were any general orders for that purpose; but the treatment of several particular persons at and since that time, has been of the most shocking kind, and gives too much countenance to the supposition. Officers wounded and disabled, some of them of the first rank, were barbarously mangled or put to death. A minister of the gospel in Trenton, who neither was nor had been in arms, was massacred in cold blood, though humbly supplicating for mercy.

4. The lust and brutality of the soldiers in the abusing of women.

The committee had authentic information of many instances of the most indecent treatment, and actual ravishment of married and single women; but such is the nature of that most irreparable injury, that the persons suffering it, and their relations, though perfectly innocent, look upon it as a kind of reproach to have the facts related and their names known. They have however procured some affidavits, which will be published in the appendix. The originals are lodged with the secretary of Congress.

Some complaints were made to the commanding officers upon the subject, and one affidavit made before a justice of peace; but the committee could not learn that any satisfaction was ever given or punishment inflicted, except that one soldier at Penington was kept in custody for a part of a day.

On the whole the committee are sorry to say that the cry of barbarity and cruelty is but too well founded; and as in conversation, those who are cool to the American cause, have nothing

to oppose to the facts but their being incredible, and not like what they are pleased to stile, the generosity and clemency of the English nation; the committee beg leave to observe, that one of the circumstance most frequently occurring in the enquiry, was the opprobrious disdainful names given to the Americans; these do not need any proof, as they occur so frequently in the news-papers printed under their direction, and in the intercepted letters of those who are officers and call themselves gentlemen. It is easy therefore to see what must be the conduct of a soldiery greedy of prey, towards a people whom they have been taught to look upon not as freemen defending their rights on principle, but as desperadoes and profligates, who have risen up against law and order in general, and with the subversion of society itself. This is the most candid and charitable manner in which the committee can account for the melancholy truths which they have been obliged to report. Indeed the same deluding principle seems to govern persons and bodies of the highest rank in Britain. For it is worthy of notice, that not pamphleteers only, but king and parliament, constantly call those acts lenity, which on their first publication filled this whole continent with resentment and horror."

*Resolved*, That the said report be accepted, and that the committee who brought it in publish the same with the affidavits.

*Resolved*, That a member be added to the committee on the commissary's department, and that they be directed to confer with general Schuyler on the subject.

The member chosen, Mr. Roberdeau.

*Resolved*, That Mr. Jos. Trumbull be directed to repair with dispatch to Philadelphia.

At the request of general Schuyler,

*Resolved*, That a committee be appointed to enquire into the conduct of major general Schuyler, since he has held a command in the army of the United States.

That the said committee consist of a member from each state.

The members chosen, Mr. Thornton, Mr. Lovell, Mr. Ellery, Mr. Wolcot, Mr. Duer, Mr. Elmer, Mr. Clymer, Mr. Sykes, Mr. W. Smith, Mr. Page, Mr. Burke, Mr. Heyward and Mr. Brownson.

*Resolved*, That major general St. Clair have leave of absence from the army for two weeks, to visit his family.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That an order for 5000 dollars be drawn on the treasurer at Baltimore, in favour of Robert Cummins, commissary of provisions there, to purchase provisions for the troops; and that he be desired to buy as much fresh provisions as he thinks prudent, considering the present price; and that Congress approve of his laying in a quantity of barrelled shad fish sufficient for the troops passing through that town.

*Resolved*,

*Resolved*, That general Armstrong be requested to inspect the magazines of provisions under the care of commissary Wharton, and report to Congress their kind, quantity, and condition : That general Armstrong be authorised to call on Mr. Wharton for every information necessary to enable him to perform this duty, and if the said magazines be found in a perishing or neglected state, that he take proper steps for their regulation ; and the said commissary and his deputies are hereby ordered to pay due obedience to his directions.

*Resolved*, That a committee of five be appointed to devise ways and means of supplying the army with fresh beef on the most reasonable terms.

The members chosen, Mr. Burke, Mr. Sherman, Mr. L. Morris, Mr. R. H. Lee, and Mr. Rumsey.

Adjourned to ten o'clock to-morrow.

SATURDAY, April 19, 1777.

*Resolved*, That the resignation of John Trumbull, late deputy adjutant general of the northern army, be accepted.

That general Gates be empowered to appoint a deputy adjutant general for the northern department.

*Resolved*, That three persons be appointed as a board of assistants to the marine committee, with a salary of fifteen hundred dollars a year each, to reside at or in the neighbourhood of Boston, in the state of Massachusetts-Bay, with a power to adjourn to any part of New-England ; who shall have the superintendance of all naval or marine affairs of these United States, within the four eastern states, under the direction of the marine committee.

That the appointment of the said commissioners be made on Tuesday next.

A letter of the 27th of March from the commissioners for settling accounts in the northern department, directed to the board of treasury, was laid before Congress and read.

*Ordered*, That the same be referred to the committee appointed to devise regulations for the commissary's department.

*Resolved*, That three members be added to the said committee ; and that the committee be directed to confer with Mr. Trumbull on his arrival.

The members chosen, Mr. Duane, Mr. W. Smith, and Mr. Gerry.

*Ordered*, That a copy of such parts of the said letter as relates to draughts made on the paymaster for stock, &c. taken by officers, and to irregular draughts, be sent by the board of treasury to general Gates.

The committee appointed to enquire into the mode heretofore observed by officers in making up their pay rolls, and to prepare a resolution for preventing abuses therein, brought in a report, which was read.



*Ordered,* To lie on the table.

A remonstrance of Joseph Hugg and Isaac Morris, jun. was read.

*Resolved,* That general Washington be directed to take effectual measures for removing all provisions, cattle, carriages and forage which he may think in danger of falling into the hands of the enemy, particularly in the parts of the country through which their rout may lie, should they attempt to march; and that he give directions to all officers employed on this duty, to be careful not to deprive the inhabitants of what may be necessary for their immediate subsistence; and to cause all provisions, cattle, carriages, and forage removed, to be appraised to a just valuation, that the owners may be paid for the same.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved,* That the Rev. Mr. Henry Miller be, and he is hereby appointed chaplain to the German battalion.

The marine committee having recommended John Rathburn to be captain of the armed sloop Providence;

*Resolved,* That he be appointed accordingly.

*Resolved,* That an order for 200,000 dollars be drawn on the commissioner of the loan office for the state of New-York, in favour of Jonathan Trumbull, jun. deputy paymaster general, for the use of the army in the northern department; the said deputy paymaster general to be accountable.

The committee appointed to devise ways and means for suppressing the spirit of toryism in the counties of Somerset, Worcester, and Suffex, and preventing the disaffected persons therein from taking measures prejudicial to the cause of the United States, brought in a report, which was taken into consideration; whereupon

*Resolved,* That it be earnestly recommended to the legislative or executive authorities of the states of Delaware and Maryland, forthwith to apprehend and remove all persons of influence or of desperate characters within the counties of Suffex, Somerset and Worcester, who have betrayed or manifested a disaffection to the American cause, to some remote or secure place or places within their respective states; there to be secured without any person having access to them, unless by licence first obtained from such civil or military officer as the government of the respective states shall think proper to appoint for that purpose: To take away the fire arms of all such of the inhabitants of the counties above mentioned, as have not hitherto manifested an attachment to the cause of America, excepting such in the counties of Worcester and Somerset, in the state of Maryland, as may have complied with the proclamation issued by the said state in the month of February last; the said arms to be disposed of by the respective states as shall be deemed most conducive to the general weal:



weal : To enact laws appointing commissioners in each of the counties abovementioned, whose business it shall be to make inventories, and to take charge of the personal estates of the persons so removed, and to receive the rents arising from their real estates, in order that the same may be appropriated as a fund for their maintainance, till the government of the respective states shall otherwise direct ; and vesting the said commissioners with full and adequate powers to enquire into, detect and defeat, all plots or conspiracies formed in the respective counties against the liberties of America.

And for facilitating the expeditious execution of the foregoing resolution :

*Resolved*, That the governor of the state of Maryland be authorised to detain the weakest continental battalion raised in the state of Maryland, till a further order of Congress ; and that it be recommended to the executive authority of the state of Maryland, forthwith to embody three hundred of the militia of the said state, and to the executive authority of the state of Delaware one hundred of their militia ; the said militia to co-operate with the battalion of continental troops, to obey the officer commanding the same, and to continue in service so long as the joint executive authorities of the states of Delaware and Maryland shall think necessary.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

#### MONDAY, April 21, 1777.

A letter of the 18th and 19th from general Washington ; one of the 19th from the Pennsylvania board of war ; and a note from doctor G. Clarkson, in behalf of col. Zedwitz, were read ;

*Ordered*, That the letter from general Washington be referred to the board of war ; that the letter from the Pennsylvania board of war be referred to the board of treasury ; and the note from doctor Clarkson, to the medical committee.

*Resolved*, That James Mease, clothier general, be directed to deliver to general Mifflin, quarter master general, or his order, all the cloth in his possession, fit for tents.

According to the order of the day, Congress proceeded to the consideration of the articles of confederation as reported from the committee of the whole house ; and after debate thereon,

*Resolved*, That the farther consideration thereof be postponed to Friday next.

*Resolved*, That Michael Hillegas, esq; treasurer, be authorised and directed to appoint and qualify such a number of additional signers of money as he shall judge necessary, and send to Congress a certificate of such appointment and qualification ; and that the said signers proceed on the business until discharged by Congress.

The several matters to this day referred being postponed ; adjourned to 10 o'clock to-morrow.

TUESDAY, April 22, 1777.

A letter of the 21st from general Washington ; one of the 5th from col. G. Morgan at fort Pitt, with sundry papers inclosed ; one of the 2d from major Malmédy at Providence ; one of the 14th from governor Trumbull ; and a memorial from Elisha Painter, were read ;

*Ordered,* That the letter from colonel Morgan, be referred to the committee on Indian affairs ; the letter from major Malmédy, to the committee on applications from foreigners ; the letter from governor Trumbull, to the committee on foreign affairs ; and the memorial from Elisha Painter, to the board of war.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved,* That general Schuyler be directed to send forward immediately all the troops now in Bristol, with orders to join general Washington with all expedition ; and that general Schuyler immediately order all the troops now in Philadelphia, and which may hereafter arrive, with the utmost dispatch to Bristol, there to wait farther orders.

That the secret committee be directed to transmit from time to time to general Washington, bills of exchange or specie for the support of our prisoners of war in the hands of the enemy, according to their ranks and pay in the continental service ; and that the general be desired to appoint a commissary of prisoners, for the purpose of applying the money obtained by the bills and the specie transmitted, to the purposes aforesaid ; and that the said commissary be ordered to take care that the prisoners of war be supplied with proper provisions and clothing.

*Resolved,* That the farther consideration of the report be postponed.

*Resolved,* That the director and deputy directors general, shall constantly publish in the news-papers, the names of the places in which their military hospitals are respectively kept ; and the several commanding officers of parties, detachments, or corps on their march to or from the camp, shall send to the said hospitals such of their officers and soldiers as from time to time are unable to proceed, together with certificates to the director or deputy director general, mentioning the names of the said officers and soldiers and particular regiments to which they belong ; unless from the distance of the hospitals, or other causes, it shall at any time be necessary to deliver them to the care of private physicians or surgeons, in which cases such physicians and surgeons, and also the respective commanding officers, are forthwith to report their names and regiments to the director or deputy directors general as aforesaid, who shall give the necessary orders for removing them to the hospitals as soon as may be, and discharge the reasonable demands of the physicians and surgeons conducting agreeable to this resolve.

That

That the director and deputy directors general and assistant deputy directors, have power to order to their respective hospitals the sick and wounded of the army, wherever found in their own or other departments, provided such departments are not supplied with any of the officers aforesaid.

A memorial from Robert Long was read, requesting permission to go to New-York, in order to render to Mr. Chamier an account of his affairs:

*Ordered,* That the said memorial be dismissed.

*Resolved,* That an order be drawn on the treasurer at Baltimore in favour of James Mease, clothier general, for the sum of 12,000 dollars, to discharge a bill of exchange drawn at Boston, March 1, 1777, by Abraham Livingston and William Turnbull on Robert Morris, esq; in favour of Stephen Hooper, or order.

*Resolved,* That governor Trumbull be informed that Congress have received undoubted information that William Franklin, late governor of the state of New-Jersey, and now a prisoner in Connecticut, has since his removal to that state, sedulously employed himself in dispersing among the inhabitants the protections of lord Howe and general Howe, stiled the king's commissioners for granting pardons, &c. and otherwise aided and abetted the enemies of the United States: And that he be requested forthwith to order the said William Franklin, esq; into close confinement, prohibiting to him the use of pen, ink, and paper, or the access of any person or persons but such as are properly licensed for that purpose by governor Trumbull.

A memorial from colonel Haller and lieutenant colonel Lutz was read; praying that they may be paid for retained rations.

*Ordered,* That it be referred to the board of war.

*Resolved,* That a member be added to the committee for suppressing toryism.

The member chosen; Mr. Duer.

*Resolved,* That it be recommended to the several states, to order their statute laws and the additions that may be made, thereto, to be sent to Congress and to each of the states, together with all discoveries and improvements in the arts of war made in such states respectively.

The several matters to this day referred, being postponed; adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, April 23, 1777.

*Ordered,* That the sum of six hundred and eighty dollars be paid to the captain, officers and privates, of the brigantine Andrew Doria, the same being in full of the bounty granted for ten carriage guns mounted, and sixty men on board the armed sloop Racehorse, at the time of her capture by the said brigantine Andrew Doria, as certified by the register of the court of admiralty for the state of Pennsylvania.

The



The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That doctor James Tilton be authoris'd to repair to Dumfries in Virginia, there to take the charge of all continental soldiers that are or shall be inoculated, and that he be furnished with all necessary medicines: That the commanding officers in that department be directed to afford every assistance in their power, and that all commissaries and quarter masters on whom the doctor shall have occasion to call, be directed to provide quarters and every thing requisite for this business.

*Resolved*, That the board of war be impowered and directed to sell to the delegates of North-Carolina 200 gun locks.

A petition from Lawrence Powell was read;

*Ordered*, That it be referred to the board of war.

The committee to whom the report on the quarter master's department was recommitted, brought in a new report, which was read.

Joseph Trumbull, commissary general, being arrived at Philadelphia,

*Ordered*, That the committee on the commissary's department, and the committee appointed to devise means for supplying the army with fresh beef, be consolidated; and that Mr. Trumbull be directed to confer with the said committee.

*Resolved*, That a committee of six be appointed to consider of ways and means for speedily reinforcing general Washington's army.

The members chosen, Mr. Duer, Mr. S. Adams, Mr. Wilson, Mr. B. Smith, Mr. R. Lee, and Mr. Sherman.

*Ordered*, That the committee confer with general Schuyler and general Mifflin on the subject.

The board of treasury reported, that there is due

“ To Edward Snicker, and to be paid to col. Daniel Morgan, the sum of £.276, 2, 6, for sundry arms, blankets, provisions, &c. furnished by him for the use of the said colonel Morgan's regiment, and for an allowance made him for his trouble and expence of purchasing the said arms, &c. and for those purchased as per a former account amounting to £.482, 8, the sum of £.37, 18, 6, which two sums amount to £.314, 1, Virginia currency, equal to 1046.75 dollars.

That there should be paid to captain Nathaniel Rumsey for sundry clothing he purchased for the use of his company in the first Maryland battalion, which were taken by the enemy, as is set forth in his memorial to Congress, the sum of 115.39 dollars:

That there is due to John Carlswell, late a soldier in the late captain Hendrick's company, who was taken prisoner at Quebec, for his pay from the 1st of January, 1776, to the 22d of of April, 1777, the sum of 94.73 dollars:

That



That there should be paid to Henry Shitz, for 46 reams of paper for continental bills of credit, the sum of 444 dollars :

That there should be paid to Francis Lewis, esq ; for sundry goods purchased for clothing the army out of the prize schooner Hannah, and put into the hands of Samuel and Robert Purviance, at Baltimore, the sum of 7346.62 dollars ; the said Samuel and Robert Purviance to be accountable :

That there should be advanced to col. Daniel Morgan, of the 11th Virginia regiment, for the bounty of a volunteer company enlisted into the said regiment, the sum of 1800 dollars ; he to be accountable :

That the reverend Mr. John Nevelling officiated as chaplain to 9 New-Jersey battalions for one month and six days, at 50 dollars a month, amounting to 59.77 dollars ; of which he received of the paymaster 33.30 dollars, and that a balance of 26.47 should be paid to him."

*Ordered*, That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, April 24, 1777.

A letter of the 2d from J. Allen, at Boston, agent for Indian affairs in the eastern department ; one of the 26th of December last from James Lyon, at Machias ; and one of the 18th instant from the convention of New-York, with sundry papers inclosed, were read.

*Ordered*, That the said letters be referred to the board of war, who are directed to confer with the person who brought the two first letters.

A letter of the 23d from general Washington, with sundry papers inclosed, was read.

The committee appointed to consider of ways and means for speedily reinforcing general Washington's army, brought in a report, which was read and considered ; whereupon

*Resolved*, That it be earnestly recommended to the president of the supreme executive council, and to the board of war, of Pennsylvania, to call out three thousand of the militia of the said state, exclusive of the city militia ; one half of the said troops to rendezvous at Chester on the Delaware, and the other half at Bristol : And to order the city militia to equip themselves with arms and accoutrements, and to hold themselves in readiness at a moment's warning ; and that the said president and board of war take measures to furnish the said troops with a proper train of artillery.

*Resolved*, That the president write to general Washington and inform him, it will be agreeable to Congress that he order general Mifflin to continue in Philadelphia for some time ; provided the public service will admit of his absence from the army.

*Resolved*, That the officers of the seventh Pennsylvania battalion

lion be referred to the board of treasury for the liquidation of their accounts, and settlement of the money due to the said battalion for the last campaign, and that the said board report thereon.

*Resolved*, That all the accounts of the Pennsylvania, Delaware and Maryland militia yet unsettled be referred to the board of treasury for liquidation, and that the reports thereon be transmitted to general Schuyler, who is now the commanding officer in Philadelphia, in order that he may draw warrants for paying the arrears due to them agreeable to the resolve of the 17th instant.

*Ordered*, That the account of William Grayham, a surgeon's mate of the second Virginia regiment, be referred to general Schuyler, who is directed to draw a warrant for two months pay.

An appeal from the judgment of the court of admiralty for the state of Maryland, held at Baltimore, in the libel sloop Montgomery v. brig Minerva, was lodged with the secretary, and referred to the committee on appeals.

An appeal from the judgment of the court of admiralty for the state of Rhode-Island and Providence plantations, on the libel Mary Alfop, and others, v. Thomas Bittenburg, being lodged the 6th of March last, was also this day referred to the committee of appeals.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

F R I D A Y, April 25, 1777.

*Ordered*, That 1666.60 dollars be paid to Sampson Mears, or order, the same being in full of a bill drawn by William Aylet, Virginia, April 9th, 1777, in favour of Mr. Isaac Vanbibber, of Baltimore, and indorsed by the said Isaac Vanbibber, and the payment ordered to the said Sampson Mears, or order, by Vanbibber and Crocket, and that the said sum be charged to the account of the said William Aylett.

The board of war reported :

“ That having enquired into the case of major Elisha Painter, it appears by the evidence produced, that the objections made against his appointment to the office of major in colonel Seth Warner's regiment, and the complaint of uneasiness occasioned thereby, are without any just foundation, and that nothing is alledged, or appears to have been done by him to forfeit his right to the said office; and that the board knows of no such office vacant in any other regiment, to which he can be appointed by Congress.” Whereupon

*Resolved*, That the resolution of the 18th of January last, removing the said Elisha Painter from any command in the said col. Seth Warner's regiment, be repealed; and that he return to his command in the said regiment as major thereof, unless general Washington

Washington shall think proper to appoint him to some other office or employment in the army not inferior to his present rank.

The committee of treasury brought in a report, which was taken into consideration; whereupon

*Resolved*, That 50,000 of the 300,000 dollars, ordered to be advanced to general Mifflin on the 22d of March last be paid by a warrant on the loan-office in Connecticut.

*Ordered*, That 100,000 dollars be advanced to Joseph Trumbull, esq; commissary general, he to be accountable; and that a warrant be drawn on the commissioner of the loan-office for the state of Pennsylvania for the sum of 35,000 dollars, in part of the above sum.

*Resolved*, That the farther consideration of the report be postponed.

The committee appointed to devise ways and means for speedily reinforcing general Washington's army, brought in a farther report, which was taken into consideration; whereupon

*Resolved*, That the president and council of the state of Delaware be requested forthwith to call out fifteen hundred of the militia of the said state, well armed and accoutred, to rendezvous at Chester on Delaware.

That a committee of three be appointed to confer with the said president and council to enforce the necessity of this measure, and that general Mifflin be requested to join the said committee for the purpose aforesaid.

The members chosen, Mr. Read, Mr. Roberdeau and Mr. Sergeant.

*Resolved*, That the governor of the state of New-Jersey be requested forthwith to call out such part of the militia of the said state as general Washington shall judge necessary to reinforce the army under his command.

*Resolved*, That the physician or surgeon general of the hospital in the middle department be directed to send a proper person or persons in the medical department, to visit all the hospitals betwixt this city and the town of Annapolis, in Maryland, with directions to order all such soldiers, as shall be deemed capable of service, to join immediately their respective corps under proper officers.

*Resolved*, That major general Schuyler be directed to order all the troops in or near the city of Philadelphia, and between the said city and the town of Annapolis, to march immediately to Bristol, by such routs as shall render it unnecessary to pass through the city of Philadelphia; that he send active officers to forward the said troops without delay, and that he order proper returns to be made of the quantity of arms and cloathing wanted for the respective corps or detachments, in order that a supply of the same may be forwarded by the clothier general to the town of Bristol.



*Resolved*, That general Washington be requested to send a general officer into the eastern states, to forward all the troops already raised to their respective places of destination with the utmost dispatch.

According to the order of the day, Congress resumed the consideration of the articles of confederation, as reported by a committee of the whole; and after debate

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, April 26, 1777.

A letter of the 25th from president M'Kinley of Delaware; two of the 21st and one of the 23d from governor Johnson of Maryland, were read.

*Ordered*, That the said letters with the papers inclosed, be referred to the board of war.

*Resolved*, That 100,000 dollars be advanced to the state of Maryland, the said state to be accountable; and that the same be paid by an order for 25,000 dollars on the commissioner of the loan office for the state of Maryland, and by an order on the treasurer at Baltimore for the remaining 75,000 dollars.

*Ordered*, That 691.50 dollars be paid to Thomas Lawrence, being so much paid by him to the wives of the carpenters employed in the service of the United States at fort Pitt, and that the same be charged to the account of colonel George Morgan.

*Ordered*, That 500 dollars be advanced to captain Joseph Mitchell, for the use of the 12th Virginia battalion, and that the same be charged to the account of James Wood, colonel of the said regiment.

*Ordered*, That the committee on the commissary's department proceed on that business, and report on Monday next.

The committee on the treasury reported, "That there is due to John Biddle; for the weekly allowance paid to several officers; &c. prisoners of war, and for sundry provisions furnished women and children, prisoners at Reading, at the rate of ten pence per ration, the sum of 955.52 dollars:

To Henry Haller, for the weekly allowance of capt. Anstruther, from the 23d of August to the 24th of November, being 11 weeks and 4 days, the sum of 23.12 dollars:

To Thomas Polkoos, and to be paid to Mr. Wiltner, for bleeding 95 privates of colonel Haussegger's battalion, the sum of 12.60 dollars:

To Joseph Simons, for provisions issued to women and children, prisoners; and for provisions issued to prisoners at Easton, who were unable to move with the others that were exchanged, the sum of 126.69 dollars:



To Mark Wilcox, for paper for loan-office certificates, and two reams of paper for the use of the treasury board, 876.73 dollars :

To captain Benjamin Deane, for his expences while escorting money to the White Plains, and on his return, including waggon and horse hire, 175.20 dollars :

To Joseph Copperthwaite, for sundry casks for powder, and for cooperage, portorage, &c. 297.66 dollars :

To Levi Hollingsworth, for freight and cartage of 503 casks of powder, and one case of gun-locks, from Baltimore to Philadelphia, and for portorage to the magazine, the sum of 437.6 dollars :

To Bright and Pechin, for storage and weighing sundry parcels of saltpetre, the sum of 76.75 dollars :

To Elizabeth Kuntz, for attendance and provisions to six men belonging to general Lee's guard who were under inoculation, and for boarding six other men, the sum of 89.81 dollars :

That there should be paid to James Young, for fifty one rifle and smooth bore guns, twenty two of which were delivered to Robert Towers and Samuel Appleton, seven lost, and twenty-two delivered at fort Washington, the sum of 571.25 dollars :

That there should be advanced to colonel Daniel Morgan, a balance due to him of 192.60 dollars :

That there should be advanced to him a further sum of 2727.76 dollars to pay his troops in this city, and for which sums he is to account with the paymaster.

*Ordered*, That the said accounts be paid.

A letter of the 13th from William Aylett, was read ;

*Ordered*, That it be referred to the committee appointed to enquire into the conduct of Carpenter Wharton, and to regulate the commissary's department.

A letter of the 12th from colonel Morgan, at fort Pitt, was read.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday next.

MONDAY, April 28, 1777.

A letter of the 22d from general Gates at Albany, with sundry papers inclosed ; and one of the 23d from Henry Fisher at Lewis-town, were read.

Whereas Henry Fisher has, agreeable to the power vested in him by Congress, appointed William Peery, captain ; John Westly, first lieutenant ; David Hazard, second lieutenant ; and John Hazard, ensign, of the company ordered to be raised for the defence of Lewis-town.

*Resolved*, That they be confirmed.

*Resolved*, That the letter from general Gates, with the papers inclosed, be referred to a committee of the whole Congress ; and that general Schuyler lay before the committee the correspondence between him and general Washington, respecting the defence of Ticonderoga.

Congress then resolved itself into a committee of the whole; and after some time spent the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letter and papers to them referred, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will to-morrow again resolve itself into a committee of the whole, to consider the letter from general Gates and the papers referred to them.

The several matters to this day referred, being postponed; adjourned to 10 o'clock to-morrow.

T U E S D A Y, April 29, 1777.

A letter of the 18th from William Aylett, commissary in Virginia, was read.

*Ordered*, That it be referred to the committee on the commissary's department: and that a copy of the said letter, so far as it relates to the procuring provisions for the army, be delivered to Joseph Trumbull, commissary general, who is directed to give the necessary orders respecting the same.

Congress resumed the consideration of the report from the committee on the treasury of the 11th; whereupon

*Resolved*, That 1000 dollars be advanced to major Ottendorf, for recruiting his corps of rangers; and that he be directed forthwith to produce a certificate from the commissary general of musters, or the deputy muster master general in this department, of the number of soldiers enlisted into his several companies.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That baron Ernst Siegesmond be appointed first lieutenant and John Conrad Latour second lieutenant in the corps commanded by major Ottendorf.

The committee appointed to confer with the president and council of the state of Delaware, on the necessity of calling out fifteen hundred of the militia thereof, well armed and accoutred, to rendezvous at Chester on Delaware, reported:

“ That they, together with general Mifflin, met the president and council at Wilmington in the said state, and conferred with them on the business aforesaid; that the said president and council gave assurance that they were willing and desirous to comply with the requisition of Congress for the aid of the militia aforesaid, and that every means in their power would be used to draw forth the number required; but they apprehended that this might be more probably effected by fixing the place of their rendezvous near the Delaware within the said state, and which would not be more than six or seven miles distant from the general rendezvous proposed at Chester: That your committee, with the approbation of general Mifflin, acceded to the proposal of fixing the place of rendezvous for the militia of the said state within the same, as  
the

the most probable means of obtaining their aid and service, and beg leave to recommend the same to Congress as equally advantageous to the public service." Whereupon

*Resolved*, That Congress accept and agree to the report of the committee.

Congress then resolved itself into a committee of the whole to consider farther the letter from general Gates, and the papers referred to them : and after some time the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the letters and papers to them referred, and have come to sundry resolutions, which he was ordered to report.

The report from the committee of the whole being read, was agreed to as follows :

*Resolved*, That general Washington be directed to write to the eastern states; from whence the troops to be employed at Ticonderoga are expected, and to request them in the name of Congress to adopt and pursue every means, particularly those recommended by Congress in their resolutions of the 14th of this month, for completing and forwarding the regiments which he has already ordered for that service, it being the opinion of Congress that a delay in this matter will be attended with the loss of that important pass :

That the convention of New-York be requested to give all possible aid of the militia of their state to keep open the communication between Albany and Ticonderoga ; and that an extract of general Gates's letter of the 19th to general Washington, relative to the encrease of Tories, be transmitted to the said convention :

That general Gates be informed of the measures taken by Congress to reinforce him with men, and to supply him with money : that he be informed it is not the wish of Congress that he retain possession of that part of Ticonderoga which lies on the west side of lake Champlain, if in his judgment the great point of preventing the enemy from penetrating the country may be better obtained by applying his whole force to the strengthening and securing fort Independence and the water defence of lake George :

That if major general Gates shall be of opinion that there are not a sufficient number of carpenters employed on the vessels at lake George, he be authorised and directed immediately to engage as many as he shall think necessary for completing with the utmost dispatch the water craft now erecting on that lake :

That general Washington be directed to send to Congress the names of the general officers ordered to repair to Ticonderoga, and the number and names of the regiments under marching orders for that place :

That general St. Clair be informed by express of the approach of the enemy to Ticonderoga, and that he be directed to repair without loss of time to that place.

*Resolved*,



*Resolved*, That the commissioners for Indian affairs at Albany, be directed to accept of the offer made by the Oneidas in their speech of the 19th of March to col. Elmore, to send scouts to watch the motions of the enemy at Oswegatchie; and that a copy of the said speech be transmitted to the commissioners at Albany.

Sundry amendments being offered to the resolutions passed on the muster-master's department,

*Resolved*, That the committee formerly appointed to regulate the department of the muster-master be directed to revise the resolutions on that subject, and the amendments now offered to them.

A letter of the 26th from general Washington, inclosing a copy of a letter to him from general Howe, was read.

The committee of treasury reported,

That there is due to Walter Drummond for boarding sundry troops belonging to capt. Hand's company, 30.43 dollars :

To Christian Dull for provisions supplied to sundry troops on their march, the sum of 38 dollars :

To lieutenant John Ellis of the 2d Pennsylvania battalion, for sundry provisions he supplied a party of men who were left sick under his command in Canada, 6.22 dollars :

To colonel Evan Evans for the balance of the pay roll of his battalion of Chester county militia, in the service of the United States from the 4th of December 1776 to the 30th of January 1777, the sum of 2181.69 dollars :"

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a farther report, which was taken into consideration ; whereupon

*Resolved*, That it be recommended to the several states forthwith to order the sums advanced by them for recruiting the continental battalions raised by the said states, together with the names of the officers receiving the same, to be transmitted to the paymasters of such battalions ; and that the said paymasters be respectively required to call such officers to account for the same ; who shall produce certificates from the muster master or deputy muster general, specifying the number of non-commissioned officers and soldiers, and also, if officers of the light horse, the number of horses, arms and equipage belonging to their respective regiments, companies or troops, together with such other vouchers as shall be necessary to prove the sums expended for these articles, the subsistence of the troops before their joining the army, the loss of money by the deaths or desertions of non-commissioned officers and soldiers before muster, or other necessary expences ; and it is further recommended to the said states that they order the said regimental paymasters to report to them the settlement of the said accounts, together with the vouchers to be produced when confirmed by the said states, to the treasury board on adjustment of their accounts :

That



That it be recommended to the said states, if any of the paymasters shall neglect to obey their directions as aforesaid, to order their names to be transmitted to the commander in chief of the department, who shall thereupon remove from office such delinquent paymasters and supply their places with such others as he shall think qualified :

That if any officer shall not within one month after application for that purpose, render such accounts, the regimental paymasters requiring the same, shall make report thereof to the commander in chief of the department, who shall order a court-martial on such officer, and also on such other officer as shall be guilty of embezzling the public money; and the fact being ascertained by their reports, shall immediately cause him to be cashiered, and a copy of the report delivered to the regimental paymaster to be transmitted to the state to which he belongs, that such state may give proper orders for compelling the delinquent officer to account in a court of justice :

That duplicate accounts of all monies advanced by Congress, by general officers, and by the paymaster and deputy paymasters general, for recruiting continental battalions, be transmitted by the treasury board, such general officers, paymaster and deputy paymasters general respectively, to the commissioners of accounts for the army in the northern and middle departments, who shall deliver the same to the respective regimental paymasters, to enable them to call the officers chargeable with such money to account in the manner before directed; and the said regimental paymasters shall transmit to the respective commissioners aforesaid, the settlement of such accounts with the vouchers, who shall report to the treasury office those which are approved by them, and shall proceed with the regimental paymaster neglecting to obey their directions herein, and officers not accounting for the monies by them received as aforesaid, in the manner proposed to be pursued by the states in consequence of the preceding resolve :

That the general officers, paymaster and deputy paymasters general respectively, be also directed to transmit to the treasury office duplicate accounts of all monies advanced by them for recruiting continental battalions as aforesaid :

That all regimental paymasters be directed to apply to the respective commissioners for accounts of the sums advanced to their officers as aforesaid :

That all commissioners of claims or accounts be empowered to administer oaths or affirmations to persons examined by them in the execution of their office :

That accounts received by the auditor general, or in his absence, the assistant auditor, from the commissioners of claims agreeably to a resolve of Congress of the 13th of March last, be approved by them respectively, before such accounts are reported to Congress.

That

That all pay rolls of the militia which shall be tendered to Congress or the board of treasury for payment, be referred for examination and adjustment to the commissioners of claims; and reports thereon shall be made to the treasury board, who approving thereof, shall issue their warrants for the discharge of the same on the paymaster appointed for that purpose; and all resolutions heretofore passed, which are repugnant to this mode of settlement and payment, be repealed.

Whereas by a resolution of Congress passed on the 5th of November, 1776, it is directed, "That all accounts for service done, or articles supplied the northern army, shall be presented to the commissioners for settling accounts, and that so much thereof as shall be approved by them, and confirmed by the general, be paid by his warrant on the paymaster." And whereas doubts have arisen whether by the said resolution it is not required of the general to enter into the detail and examination of the said accounts, to enable him to confirm the report of the commissioners, and such duty being in time of war impracticable;

*Resolved*, therefore, That so much of all the accounts above described as shall be approved by the commissioners, and not objected to by the general, shall be paid by his warrant in the manner the said resolution prescribes.

*Resolved*, That there be allowed to each of the commissioners for settling the public accounts of the army in the northern and middle departments while they respectively continue in that office, at and after the rate of four dollars a day.

A letter of the 26th from governor Johnson of Maryland, inclosing a copy of a letter from the said governor to James Nicholson, captain of the Virginia, and of captain Nicholson's answer, being received, was read.

*Ordered*, That the same be referred to the marine committee, and that they report thereon to-morrow.

*Resolved*, That the said committee be directed to order captain Nicholson to dismiss all the men he has impressed, and not to depart with the frigate till further orders.

*Resolved*, That two members be added to the said committee.

The members chosen, Mr. P. Livingston, and Mr. W. Smith.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, April 30, 1777.

A letter of the 28th from general Washington at Morristown, with a copy of a letter to him from brigadier general M'Dougal, and sundry other intelligence respecting the enemy's marching to Danbury, was read.

*Resolved*, That a committee of four be appointed to confer with the commissary general on the means of obviating the ill consequences that may ensue from the loss of the provisions at Danbury.

The

The members chosen, Mr. Duer, Mr. Nelson, Mr. S. Adams, and Mr. Gerry.

*Ordered*, That 400 dollars be paid to captain John Hunter, the same being in full of an order in his favour drawn by general Washington on William Palfrey, esq; paymaster general, for recruiting a company on continental establishment, dated the 26th of April, 1777, and that the same be charged to the account of the said William Palfrey, esquire.

*Resolved*, That a committee of three be appointed to prepare an address to the inhabitants of the Thirteen United States, on the present situation of public affairs :

The members chosen, Mr. Wilson, Mr. Duer, and Mr. Burke.

*Resolved*, That a committee of three be appointed to confer with the executive power of the state of Pennsylvania, on the general situation of affairs in that state :

The members chosen, Mr. Duer, Mr. J. Adams, and Mr. Rumsey.

*Resolved*, That 100,000 dollars be advanced to the state of Pennsylvania for public service, the said state to be accountable.

The committee appointed to confer with the commissary general brought in a report, which was read.

*Ordered*, That a copy of the said report be sent to general Washington by general Schuyler, with the reasons on which the same is founded : and that so much of the said report as relates to the removal of provisions from Derby, Salisbury, Canaan and Sharon, and the magazines from which the armies are to be supplied, be delivered to the quarter-master and commissary general, with orders to take measures for carrying the same into execution, if approved by general Washington.

*Resolved*, That one thousand head of fat cattle be immediately purchased in the eastern states and sent without delay into Ulster county, to be there dispersed among the inhabitants with orders to keep up their flesh with hay, corn or otherwise, until they can be turned to grass.

*Resolved*, That if the enemy attempt to penetrate up Hudson's river, all the wheat that can be collected in Dutchess county, and in the manor of Livingston, Claverick, and Kinderhook districts, be removed into the north western parts of Connecticut and the western parts of Massachusetts-Bay ; and that it be recommended to the convention of the state of New-York to direct the mode of doing it.

*Resolved*, That the legislatures of the eastern states be desired to recommend and point out to the inhabitants thereof, such mode as to them shall seem best calculated to afford the most early supply of grass fattened cattle, for the use of the armies of the United States.

*Resolved*, That the commissary general be directed to deliver 500 bushels of salt to such persons as the quarter master general



shall appoint to receive the same, and that it be immediately sent into Ulster county, to be divided and lodged at the different magazines of provisions to be formed there.

*Resolved*, That major general Schuyler be directed to send a proper officer to hasten the march of the Carolina continental troops supposed to be now on their way to head quarters, that the said troops halt at Dumfries, Colchester and Alexandria, in Virginia, there to pass through inoculation; which the hospital surgeons, lately dispatched from this city to Dumfries, are directed to see effected with the greatest dispatch.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, May 1, 1777.

A letter of the 21st of April from Ephraim Blaine, esquire, was read;

*Ordered*, That it be referred to the board of war.

An appeal from the judgment of a court of admiralty held at Newbern, for the port of Beaufort, in the state of North-Carolina, on the libel "James Coor, &c. vs. the brigantine Hannah, &c." being lodged with the secretary, was referred to the committee on appeals.

*Resolved*, That fifty blank commissions for private ships of war, with an equal number of instructions and resolutions of Congress for taking or destroying the vessels of the subjects of Great-Britain, be delivered to the committee for foreign affairs, to be by them transmitted to the commissioners at the court of France.

*Ordered*, That the committee for foreign affairs revise the commissions for private ships of war, and the instructions heretofore given to the commanders of the said ships, and report such alterations and amendments as they judge proper to be made therein.

*Resolved*, That Tuesday next be assigned for appointing commissioners for the courts of Vienna, Berlin and Tuscany.

Congress took into consideration the letter of the 26th of last month from governor Johnson, the copy of the said governor's letter to capt. James Nicholson, and capt. Nicholson's answer; whereupon,

*Resolved*, That this Congress will never countenance or support any continental officer in violating the laws of any state or treating its magistrates with contempt.

*Resolved*, That captain James Nicholson be suspended from all command in the service of the United States, until he shall have made such satisfaction as shall be accepted by the executive powers of the state of Maryland, for the disrespectful and contemptuous letter written by him to the governor of that state.

*Resolved*, That captain James Nicholson be served with a copy of the said resolutions, and that in case he shall not within five days after he hath been served with the said copy, make the satisfaction



satisfaction required, he be dismissed from his command from the service of the United States.

*Ordered*, That the foregoing resolutions be immediately transmitted by the marine committee, and that they give the necessary orders for immediately dismissing the men impressed by captain Nicholson.

A letter of the 30th of April from general Washington, with sundry papers inclosed, respecting the enemy's expedition to Danbury, was read :

*Ordered*, That the same, together with the letters received yesterday on the same subject, be referred to the committee of intelligence.

Congress being informed that governor Johnson has, in pursuance of the resolution of Congress of April 19th, for the purposes therein expressed, detained colonel Richardson's battalion, two companies of which are now in Philadelphia on their way to general Washington.

*Resolved*, That the said companies proceed to the army, and that governor Johnson be empowered to replace them by detaining two companies of the weakest Maryland battalion remaining in that state.

A petition from Patrick Colvin, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That a warrant for 22,000 dollars be drawn on Joseph Borden, esquire, commissioner of the loan office for the state of New-Jersey, in favour of William Palfrey, esquire, paymaster general, who is to be accountable.

The committee on the treasury reported ;

“ That there is due to Joseph Ward, esquire, for his services as secretary to major-general Ward, while he had the command in Massachusetts-Bay, as follows ; from the 20th of April, 1775, to the 2d of July following, 73 days ; and from the 30th of March, 1776, to the 26th of September following, 180 days, making in the whole 253 days, at 33 dollars per month, 274.24 dollars.

To David Kerr, late a prisoner of colonel Montgomery's battalion of the flying camp, for his pay from the time he was taken prisoner till his return, one month and twenty days, 12 dollars :

To Andrew Elder, late a corporal in the above battalion, for his pay while a prisoner, and which is claimed by his father, one month and 23 days, 12.86 dollars :

To colonel Henry Haller, for the balance of the pay roll of his battalion of Pennsylvania forces of the flying camp, the sum of £.1380 : 18 : 0 : 1-2 :

To sundry soldiers of the said battalion who were taken prisoners and have since returned, and which is to be paid to the said H. Haller, £.683 : 13 : 10, equal to 1823.16 dollars, both sums making 5505.52 dollars.”

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*Ordered*,

*Ordered*, That the said sums be paid.

*Ordered*, That Mr. Brownson have leave of absence.

*Ordered*, That Mr. Thornton have leave to return home.

The several matters to this day referred being postponed, adjourned to 10 o'clock to morrow.

FRIDAY, May 2, 1777.

*Ordered*, That Mr. Wolcott have leave of Congress to return to Connecticut.

*Ordered*, That 500 dollars be advanced to the delegates of Connecticut for the use of that state, which is to be accountable.

*Ordered*, That 224 1-2 dollars be advanced to Morgan Alexander, captain in the 2d Virginia battalion; he to be accountable.

The committee on the treasury reported;

"That there is due to Christopher, jun. and Charles Marshall, for fundry medicines and chirurgical instruments supplied by them for the use of different battalions of continental forces, the sum of 4151.48 dollars:

"To doctor George Glentworth, for fundry medicines supplied the sick of captain Doyle's company in continental service, the sum of 28.48 dollars:

"To doctor Frederick Phile, for fundry medicines administered by him to several battalions of continental forces, the sum of 1312.33 dollars."

*Ordered*, That the said accounts be paid.

*Resolved*, That all muster rolls directed to be taken be sworn to before some general officer of the army, or in the absence of a general officer, before the commanding officer of the post where the muster is made, or some civil magistrate in these United States; and a certificate thereof be made on the back of each roll in the words following, "We do swear that the within muster roll is a true state of the company without fraud to these United States, or to any individual, according to our best knowledge." A. B. C. D. lieutenant or ensign. Sworn to before me, this day of E.

*Resolved*, That each deputy muster master deliver to the deputy muster master general of his department, one certified copy of all muster rolls, by which the latter shall make the abstracts required from him.

*Resolved*, That the commissary general of musters and his deputies, shall take an oath of office and fidelity to these United States.

*Resolved*, That in the absence of the commander in chief from any department, the deputy muster masters shall be appointed by the commander in that department.

*Resolved*, That the mustering officers be empowered and directed to require of the officers, whose troops are mustered, any papers or vouchers relative to the enlistment and muster.

*Ordered*,

*Ordered*, That the sum of 1600 dollars be advanced to colonel John Hawkins Stone, of the first Maryland battalion ; and the sum of 1056.2-3 dollars to lieutenant colonel Thomas Woolford of the second, for the use of their respective battalions ; they to be accountable.

*Resolved*, That a major general and a brigadier general be appointed in the army of the United States.

Congress proceeded to ballot for a major general, and brigadier general Benedict Arnold was elected.

*Resolved*, That the appointment of a brigadier general be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, May 3, 1777.

*Ordered*, That the sum of 885.1-3 dollars be advanced to the delegates of Maryland for the use of the detachment of colonel Richardson's battalion, which is ordered to join the army under the immediate command of general Washington ; and that the said sum be charged to the account of the said battalion.

*Ordered*, That 100,000 dollars be advanced to Joseph Trumbull, esquire, commissary general, for the public service ; he to be accountable.

The board of war brought in a report, which was taken into consideration ; whereupon,

*Resolved*. That Christopher Ludwick be appointed superintendent of bakers, and director of baking in the grand army of the United States ; that he have power to license, with the approbation of the commander in chief, or officer commanding at any principal post, all persons to be employed in this business, and to regulate the pay, making proper report of his proceedings, and using his best endeavours to rectify all abuses in the article of bread :

That no person be permitted to exercise the trade of baker in the said army without such license ; and that he receive for his services herein, an allowance of 75 dollars a month and two rations a day.

*Resolved*, That John Belton be authorized and appointed to superintend and direct the making or altering of one hundred musquets, on the construction exhibited by him and called " the new improved gun," and that he receive a reasonable compensation for his trouble and be allowed all just and necessary expences.

*Resolved*, That Christian Mankey receive a commission as first lieutenant, and George Shoffner as second lieutenant, in captain John Paul Shott's independent company : and that the said commissions bear date the 4th of February last, the time they were appointed to act by the captain, in consequence of orders from general Washington.

*Ordered*,

*Ordered*, That the farther consideration of the report be postponed to Monday next.

*Resolved*, That Christian Frolock be appointed a second lieutenant in captain Selim's company, of major Ottendorff's corps.

*Resolved*, That another brigadier general be appointed in the army of the United States, and that the appointment of the two brigadiers be postponed to Monday next.

The committee on the treasury reported,

"That there should be advanced to colonel Thomas Hartley, commanding one of the sixteen additional battalions, for the use of his regiment, on the application of major Lewis Bush, the sum of 6000 dollars; the said colonel to be accountable :

That there should be advanced to colonel David Hall, commanding the battalion of continental troops raised in the state of Delaware, 6000 dollars, for the use of his battalion; he to be accountable :

That there should be advanced to captain John Paul Shott, for the use of his independent company, the sum of 300 dollars; he to be accountable :

That there is due to captain Samuel Griffith, for the expenses of seven men from Baltimore to Philadelphia as a guard for money, 37 dollars :

To Robert Erwin, for 12 cords of wood and sawing, delivered for the use of Congress, 131 dollars :

To James Jackson, to be paid to colonel Henry Haller, for pay as a private from the 15th of December to the 24th of January, when he returned from New-York, and his mileage from thence, 9.79 dollars :

To Styner and Cist, printers, for printing the address of the assembly for the state of New-York, in German, 1000 copies, and for paper, 39.39 dollars :

To Lewis Weiss, for translating the said address into German, 16 dollars.

To the committee of York county in Pennsylvania, for the board of ten prisoners from the 3d of July to the 23d of November, 19 weeks, at one dollar per man per week, a balance of 180 dollars :

To Nathaniel Donnel, as commissary of musters for the militia, for pay from the 16th of July, 1776, to the 25th of March, 1777, eight months and nine days, at 40 dollars a month, and for 250 days rations, at 4 rations a day, both amounting to 421.54 dollars :

To William Smith, late a captain in the 6th Pennsylvania battalion commanded by colonel Irwin, on the balance of his several accounts, 1799.89 dollars :

To William Rippey, late a captain in the same regiment, on his several accounts, 1561.68 dollars :

To captain Hay, for a balance of several accounts against his company in the said regiment, 960 dollars : To



To captain Jeremiah Talbot, for a balance on his account against his company in the said regiment, 1233.6 dollars."

*Ordered*, That the said accounts be paid.

*Resolved*, That whenever an account with the United States shall be settled by any of the commissioners of accounts, returned to and approved by the board of treasury, and by them reported to and confirmed by Congress, the board of treasury shall be authorized to give the accountant a sufficient discharge for the same.

The committee on the treasury reported :

"That the commissioners for settling the accounts of the army in the northern department, have produced to the treasury board, among other accounts adjusted by them, a general account of the receipts and disbursements of major general Schuyler, and a separate account of the disposal of specie remitted to him by Congress and otherwise, for carrying on the military operations in Canada : That the last mentioned account has at general Schuyler's immediate request, been examined by the board of treasury, with the several vouchers : That it appears to this board, that before general Schuyler was supplied by Congress with any specie at all, he sent into Canada for the public service more than 3250 dollars in specie ; that he sent such farther sums in specie into Canada raised on his private credit, that when the army retreated from thence, he was in advance upwards of the value of 10,000 dollars in specie, above what he had been supplied with by Congress ; that to reimburse his friends who had lent him the said specie, he after the retreat from Canada, drew out of the military chest several sums in specie, with which it was supplied after such retreat ; but that he remains upon the final settlement of the said account in advance for the public in specie, upwards of the value of 3250 dollars more than he ever received in specie, having taken continental money in payment thereof : That it further appears from the said account and vouchers, that none of the specie supplied to him by Congress before the retreat from Canada, remained in his hands more than two days, the same being delivered over to the deputy paymaster general.

*Resolved*, That the said report be accepted, and that the same be published.

*Resolved*, That Tuesday next be assigned for the election of commissioners of the navy in the four New-England states.

The several matters to this day referred, being postponed, adjourned to 10 o'clock on Monday.

MONDAY, May 5, 1777.

*Ordered*, That there be paid to John Carter the sum of 1380 dollars, the same being in full of a bill of exchange in his favour, dated at Albany, March 24, 1777, and drawn by John Pierce, jun. assistant paymaster ; and that the same be charged to the account of Jonathan Trumbull, jun. deputy paymaster general

in the northern department, agreeable to the tenor of the said bill.

*Ordered*, That a warrant for 20,000 dollars be drawn on Michael Hillegas, esquire, treasurer, at Baltimore, in favour of Jonathan Hudson, for public service; he to be accountable.

A letter of the 27th of April from Elias Boudinot, inclosing a counterfeit thirty dollar bill, was read:

*Ordered*, That it be referred to the board of treasury.

Congress resumed the consideration of the articles of confederation as reported by the committee of the whole; and after debate thereon,

*Resolved*, That the farther consideration thereof be postponed.

*Ordered*, That 2000 dollars be advanced to the state of Rhode-Island; the said state to be accountable.

*Ordered*, That Mr. Rumsay have leave of absence.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

### TUESDAY, May 6, 1777.

A letter of the 5th from general Washington, and one of the 29th of April from general Gates, were read.

*Ordered*, That the letter from general Gates be referred to the board of war; and that they be directed to send a copy thereof to general Washington, and inform him it will be agreeable to Congress that he forward with all convenient dispatch two troops of horse to general Gates.

The marine committee brought in a report, which was taken into consideration; whereupon,

*Ordered*, That a warrant for 30,000 dollars be drawn on Joseph Clarke, esquire, commissioner of the loan office for the state of Rhode-Island, in favour of Daniel Tillinghast, esquire, for the use of the ships of war in that state:

That a warrant for 20,000 dollars be drawn on John Lawrence, esquire, commissioner of the loan office for the state of Connecticut, in favour of Barnabas Deane, for the use of the ships of war in that state:

That a warrant for 60,000 dollars be drawn on Nathaniel Appleton, esquire, commissioner of the loan office for the state of Massachusetts-Bay, in favour of Thomas Cushing, esquire, for the use of the navy in that state:

That a warrant for 40,000 dollars be drawn on Nicholas Gilman, esquire, commissioner of the loan office for the state of New-Hampshire, in favour of John Langdon, esquire, for the use of the ships of war in that state.

A letter of the 3d from general Washington, inclosing an extract of a letter of the 21st of April from general Heath at Boston, was read;

*Ordered*, That the same be referred to the board of war.

Congress

Congress resumed the consideration of the report from the board of war of the 29th of April; whereupon,

*Ordered*, That a warrant be drawn on Nathaniel Appleton, esquire, commissioner of the loan office for the state of Massachusetts-Bay, in favour of the president of the council of the said state, for 2000 dollars, to be by him paid to John Allen, esq. agent for Indian affairs in the eastern department, for the service of that department; the said Mr. Allen to be accountable for the expenditure.

*Ordered*, That the remainder of the report be recommitted.

Congress proceeded to the election of a board of assistants to the marine committee, in the eastern department; and the ballots being taken,

William Vernon, James Warren, and John Deshon, esquires, were elected.

*Resolved*, That the said board be empowered to employ a clerk with a salary of five hundred dollars per annum.

The committee on the treasury reported:

“ That there should be advanced to lieutenant William Reilly, for the use of a detachment of colonel Carvil Hall’s regiment from Maryland on their march to join general Washington, the sum of 60 dollars; colonel Hall to be accountable:

That there should be put into the hands of the commissioners of accounts, for the payment of such of the Pennsylvania troops as having been taken in Canada and released on their parole, shall apply for the same, the sum of 300 dollars; the commissioners to be accountable:

That there should be advanced to colonel Marshall, of the 3d Virginia regiment, for the use of the said regiment, the sum of 500 dollars; he to be accountable:

That there is due to Gunning Bedford, for his pay as muster master general, from the 17th of September, 1776, to the 12th of April, 1777, being 6 months and 25 days, at 40 dollars per month, 274.60 dollars; for his rations, 206 days at 4 rations a day is 824 rations, at eight-pence, 73.22 dollars; the whole amounting to 347.82 dollars:

To brigadier general Thompson, for his pay from the month of December last to April inclusive, being five months, at 125 dollars per month, 625 dollars:

To Frederick Kelhopper, for sundry meals supplied men of colonel Wood’s battalion, 8.30 dollars.”

*Ordered*, That the said accounts be paid.

The committee on the treasury brought in a farther report, which was taken into consideration; whereupon,

*Resolved*, That the appointment of Messrs. James Calhoun and William Young by the board of treasury at Baltimore, after the adjournment of Congress from that place to Philadelphia, as superintendants of the press, be confirmed by Congress.



*Resolved*, That the governor and council of Maryland be desired to appoint superintendants of the presses in the room of such as shall discontinue in that office, and return their names to Congress, together with their qualifications, agreeable to a form in the hands of the present superintendants.

*Resolved*, That any continental officers, being in Baltimore on their march to the camp at the time when money is ordered by Congress to Philadelphia, shall at the request of the treasurer escort the same, and detain a sufficient guard for this purpose for a time not exceeding three days.

*Ordered*, That 400,000 dollars be forthwith paid to the board of war, to be by them sent to the paymaster general, for the use of the army; he to be accountable.

*Ordered*, That the treasurer pay to John Gibson, esquire, auditor general, the sum of 500,000 dollars, to be draughted out of his hands by order of Congress; he to be accountable.

A memorial from Bajeu de Porte was read.

*Ordered*, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### W E D N E S D A Y, May 7, 1777.

A letter of the 6th from J. M'Kinley, president of the state of Delaware, and a memorial from major general Schuyler, were read:

*Ordered*, That the letter from Mr. president M'Kinley be referred to the board of war.

It having been represented to Congress that sundry pieces of cloth were taken by the order of general Washington from John Hart, esquire's, fulling mills in the month of December last, to prevent the same from falling into the hands of the enemy; and that part of the said cloth was in the possession of the quarter master general, and part used for the public service,

*Ordered*, That the quarter master general and his deputies deliver to John Hart, esquire, all such cloth as he or they may have in their possession, taken from Mr. Hart's fulling mills near Rocky-hill in New Jersey, in December last; and also account and pay for all the cloth taken from thence, which has been used and cannot be delivered.

*Ordered*, That the sum of 1266 2-3 dollars be advanced to Uriah Forrest, major of the 3d Maryland regiment, for the use of such part of the said regiment as is under his command; and that the same be charged to the account of the said regiment.

*Ordered*, That a warrant for 200,000 dollars be drawn on Nathaniel Appleton, esquire, commissioner of the loan office for the state of Massachusetts Bay, in favour of Joseph Trumbull, commissary general, he to be accountable.

*Resolved*, That the consideration of the memorial of general Schuyler be postponed till to-morrow. The



The marine committee brought in a report, which was read :  
*Ordered*, That the consideration thereof be postponed till to-morrow.

The several other matters to this day referred being postponed,, adjourned to 10 o'clock to-morrow.

THURSDAY, May 8, 1777.

*Ordered*, That a warrant issue on Thomas Smith, esq. commissioner of the loan office for the state of Pennsylvania, for 100,000 dollars; and another for 20,000 dollars on the continental treasurer at Baltimore, both in favour of James Mease, clothier general. for the public service, he to be accountable.

*Ordered*, That Mr. Nelson have leave to return to Virginia, for the recovery of his health.

A letter of the 6th from Joseph Trumbull, esquire, commissary general, with an account referred to him inclosed, was read :

*Ordered*, That the same be referred to the board of treasury.

A letter of the 7th from governor Livingston at Hattonfield, to doctor Witherpoon, was laid before Congress and read, requesting a guard of 25 or 30 continental troops, for purposes therein mentioned; whereupon,

*Resolved*, That general Schuyler be empowered and directed to send to governor Livingston at Hattonfield, in New-Jersey, a guard of 25 or 30 continental troops, under proper officers, to be under the command and direction of the said governor Livingston.

The secret committee having laid before Congress sundry letters and papers received by the Amphitrite, arrived at Portsmouth, from France, and the same being read;

*Ordered*, That the said committee furnish the board of war with copies of the invoices of military stores and entrenching tools, with a list of the French officers and copies of their agreements with Mr. Deane, in order that the said board may give the necessary directions relative thereto :

That the said committee furnish the clothier general with copies of the invoices of all cloathing and articles that relate to his department, that he may give the proper orders relative thereto :

That the board of war send copies of the invoices, agreements and list of the officers, with copies of their orders relative to the same, to general Washington.

That the secret committee give such directions relative to the Amphitrite, and other French ships employed in bringing stores from France, as they shall judge most likely to promote the public service.

*Resolved*, That Mr. J. Langdon be empowered to advance to the French officers arrived in the state of New-Hampshire, with whom Mr. Deane has contracted, such sums of money as may be necessary for their subsistence, and to enable them to proceed

to such posts and places as they may be ordered to by general Washington; and transmit an account of the money so advanced to the paymaster general.

Congress took into consideration the memorial from major general Schuyler; whereupon,

*Resolved*, That the explanation given in major general Schuyler's memorial of the expressions used in his letter of the 4th of February last to Congress, is satisfactory; and that Congress entertain now the same favourable sentiments concerning him which they entertained before that letter was received.

It being represented that the standing committee for hearing and determining appeals is too numerous:

*Resolved*, That the said committee be discharged, and that a new committee of five be appointed, they or any three of them to hear and determine upon appeals brought to Congress.

The members chosen, Mr. Wilson, Mr. Duane, Mr. J. Adams, Mr. Sergeant, and Mr. Burke.

*Resolved*, That Mr. Clymer be discharged from serving as a member of the board of treasury, in order that he may be enabled to give attendance at the board of war.

*Resolved*, That a member be added to the board of war.

The member chosen, Mr. Carroll.

*Resolved*, That a member be added to the board of treasury: The member chosen, Mr. Walton.

*Ordered*, That the secret committee sell 1000 lb. of sulphur to Mr. Wisner, and 1000 lb. to Mr. Livingston, for the use of their powder mills.

The committee on the treasury reported:

"That there is due to Robert Jewel, for the maintenance of state prisoners from the 21st of February to the 11th of April, including fire-wood and candles, 14.80 dollars, the balance of his account:

To captain Thomas Rodney, for pay, subsistence and mileage of a volunteer company from the Delaware state, 424.8 dollars:

To Cæsar Rodney, esq. for his pay and rations as brigadier general, from the 6th of January to the 6th of March, 314 dollars:

To lieutenants M'Kinnan, Cox, Brattan, and Duff, of the Delaware battalion, commanded by colonel Hall, for 11 days in going to Lancaster and returning as an escort to prisoners sent from hence, 115.18 dollars:

To James Gillingham, for two chests and letter cases made for the treasury office, 27.30 dollars:

To lieutenant Thomas Houston, for the pay of a company of Bucks county militia, in colonel Kirkbride's battalion, 115.69 dollars:

To Thomas Plunket, for the expence of himself and a guard with money from Baltimore to this city, and for their expences returning, 59.89 dollars:

To

To lieutenant William Bird, of the 3d Pennsylvania regiment, for a balance of pay between the 1st of March, 1776, and the 5th of January, 1777, 109.30 dollars :

To doctor Thomas Wendrey, for his extraordinary services in New-Jersey, 50 dollars :

To Reuben Smith, for 5 days service, taking a list of medicine in Woodbury, Connecticut, 11.7 dollars :

To John Brick, for expences paid for two sick privates of colonel Seely's battalion of New-Jersey militia, 22.36 dollars :

To doctor John Griffith, for medicine and attendance on sundry sick soldiers, 38 45 dollars :

To William Hurrie, for fundry expences he paid while attending Congress, 8.12 dollars ; and for 36 days attendance as door-keeper, from the 10th of March to the 1st of May, at one dollar a day, 36 dollars :

To Captain Thomas Hanson, for mileage of his company of Maryland flying camp from Philadelphia to Charleston, Maryland, 200 miles out and home, 391.10 dollars :"

*Ordered*, That the said accounts be paid.

The committee for foreign affairs reported the draught of a new commission for commanders of private ships of war, and a bond to be given by them, which were read and agreed to.

The form of the commission is as follows :

In C O N G R E S S.

The delegates of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South Carolina and Georgia, to all unto whom these presents shall come, send greeting. Know Ye, That we have granted, and by these presents do grant licence and authority to \_\_\_\_\_, mariner, commander of \_\_\_\_\_ called the \_\_\_\_\_, of the burthen of \_\_\_\_\_, mounting \_\_\_\_\_ carriage guns, and navigated by \_\_\_\_\_ men, to fit out and set forth the said \_\_\_\_\_ in a warlike manner, and by and with the said \_\_\_\_\_ and the crew thereof, by force of arms to attack, subdue, and take all ships and other vessels whatsoever, carrying soldiers, arms, gun-powder, ammunition, provisions or any other contraband goods to any of the British armies or ships of war employed against these United States : And also to attack, seize, and take all ships or other vessels belonging to the inhabitants of Great-Britain, or to any subject or subjects thereof, with their tackle, apparel, furniture and loadings, on the high seas, or between high and low water marks (the ships or vessels, together with their cargoes, belonging to any inhabitant or inhabitants of Bermuda, Providence, and the Bahama islands, and such other ships and vessels bringing persons with intent to settle and reside within any of the United States, or bringing arms, ammunition, or warlike stores to the said states, for the use thereof ; which said ships or vessels you shall suffer to pass unmolested



molested, the commanders thereof permitting a peaceable search, and giving satisfactory information of the contents of the ladings, and destination of the voyage, only excepted) and the said ships or vessels so apprehended as aforesaid, and as prize taken, to carry into any port or harbour within the dominions of any neutral state willing to admit the same, or into any port within the said United States, in order that the courts there instituted to hear and determine causes civil and maritime, may proceed in due form to condemn the said captures, if they be adjudged lawful prize; or otherwise according to the usage in such cases at the port or in the state where the same shall be carried. The said

having given bond with sufficient sureties, that nothing be done by the said or any of his officers, marines, or company thereof, contrary to or inconsistent with the usage and custom of nations and that he shall not exceed or transgress the powers and authorities contained in this commission. And we will and require all our officers whatsoever in the service of the United States, to give succour and assistance to the said in the premises. This commission shall continue in force until the Congress shall issue orders to the contrary. Dated at

By order of Congress, President.

Attest, The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, May 9, 1777.

The board of war brought in a report, which was taken into consideration; whereupon,

*Resolved*, That a reward of twenty-four dollars be paid to every non-commissioned officer or soldier who shall come over with his arms from the enemy.

*Ordered*, That the remainder of the report be recommitted.

*Ordered*, That a warrant for 22,336 2-3 dollars be drawn on Joseph Clarke, esq. commissioner of the loan office for the state of Rhode-Island, in favour of Daniel Tillinghast, esquire, and charged to the account of James Mease, esq. clothier general; the same being in full for clothing purchased by the said Daniel Tillinghast for the use of the army.

*Ordered*, That the sum of 2319 2-3 dollars be advanced to Samuel Ewing, paymaster of the 2d Maryland battalion of continental troops, for the use of the said battalion; he to be accountable.

*Resolved*, That the president write to the executive powers of each of the Thirteen United States, requesting them to transmit to Congress with all convenient dispatch, authenticated copies of all the petitions, memorials, and remonstrances that were sent to the king and parliament of Great-Britain respecting American grievances, between the first of January, 1764, and the first of September, 1774, inclusive, with the answers to such if any have been received. The



The committee on the treasury reported :

“ That there is due to John Jarvis, for the pay of a company of Bucks county militia in colonel Kirkbride's battalion, between the 28th of December and the 27th of March, 461.67 dollars :  
To captain Stephen Porter, for balance of pay and mileage of a company of Philadelphia county militia, between the 17th of December and the 24th of February, 79.81 dollars :

To captain Francis Nichols, for difference between the pay of a lieutenant and captain, from the 1st of January to the 15th of November, 1776, 109 dollars :

To James Millegan, John Carter and John Wells, for their pay as commissioners for settling the army accounts in the northern department, from the 26th of July to the 9th of May inclusive, 287 days, at four dollars each per day, 3444 dollars.”

*Ordered*, That the said accounts be paid.

The board of war brought in a report, which was taken into consideration ; whereupon,

*Resolved*, That general Washington be informed that Congress are deeply concerned at the many reports they constantly receive of the misbehaviour of great numbers of the officers of the army in neglecting to settle with, or designedly withholding the pay of the soldiers, whereby the greatest injuries accrue to our cause by occasioning discontents and desertions among the soldiers ; and that it be recommended to the general to establish a court of enquiry, to examine into the conduct of the officers as to the payment of their men, to consist of general officers only ; and that the paymasters furnish the said court, or any person or persons authorized by them, with accounts of all monies paid to officers for the payment of their regiments, troops or companies ; and if any officer or officers shall be found delinquent in the payment of the men under their command, such officer or officers be dismissed with infamy, and accounts of their misconduct transmitted to the States wherein they were appointed ; in order that the said officers be prosecuted at law as peculators and public plunderers, for any sum or sums they may be found in arrear.

That it be recommended to the legislatures of the several States to observe great caution in settling the terms on which the militia shall be excused from personal service, agreeably to the resolve of Congress of the 14th day of April last ; the measure therein recommended having been found by experience subject to great abuses and inconveniencies.

A petition from Francis Wade, and one from John Lawrie, Michael Mount and Jacob Hendrickson, were read :

*Ordered*, That they be referred to the committee on the commissary's department.

*Ordered*, That Mr. Roberdeau have leave of absence for the recovery of his health.

The several matters to this day referred, being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY,

SATURDAY, May 10, 1777.

*Ordered*, That the sum of 2000 dollars be paid to John Anderson or order, and charged to the account of colonel George Morgan, the same being in full of colonel G Morgan's draught in favour of the said John Anderson, dated Fort Pitt, February 12, 1777.

A letter of the 9th from J. M'Kinley, president of Delaware; one of the 2d from major general Gates at Albany: and one of the 22d of April, from colonel H. Crawford at Fort Pitt; also the proceedings of a court-martial held at Philadelphia, the 30th of April, 1777, on the trial of captain Lang, with gen. Schuyler's disapprobation thereof, delivered at head-quarters, Philadelphia, May the 9th; and the proceedings of a court-martial held at Philadelphia, May the 5th, and approved by general Schuyler, were laid before Congress, and read:

*Ordered*, That the letter from general Gates and the proceedings of the court-martial, be referred to the board of war.

*Ordered*, That the board of war enquire into the conduct of capt. Gamble, a prisoner at Princeton, and particularly of doctor Stappleton, who has been permitted to attend capt. M'Pherson, a prisoner of the 17th British regiment at the same place: That they write to governor Livingston relating to the conduct of the said doctor Stappleton, and transmit to general Washington the result of their enquiries, and desire him to give such orders respecting the said doctor as may be consistent with the laws of nations and the public weal; and that they give orders for the immediate removal of the said officers and doctor from Princeton and the line of communication.

*Ordered*, That 1000 dollars be advanced to maj. George Lyne, of the 12th Virginia regiment, for the use of the said regiment.

*Resolved*, That the case of the soldiers of the 7th Virginia regiment, be referred to the board of war, who are desired to report whether any cloaths are to be allowed to them.

The committee on the treasury reported:

"That there should be advanced to major Ottendorf, for the use of his corps, 500 dollars; he to be accountable:

That there should be advanced to James Hunter, paymaster to the 4th Pennsylvania battalion of continental troops, 2000 dollars, for the use of the said battalion; the said paymaster to be accountable.

That there is due to Philip Melon, late a private in captain Rippey's company of the 6th Pennsylvania regiment, for a rifle gun taken by the enemy, 13.60 dollars:

To William Millegan, late a private in captain Talbot's company of the 6th Pennsylvania regiment, for his pay from August the 1st to the 20th of March. 1777, being 7 months and 20 days, at 6 2 3 dollars per month, 51.10 dollars:"

*Ordered*, That the said accounts be paid.

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The committee on foreign applications brought in a report, which was taken into consideration ; whereupon

*Resolved*, That Monsieur Armand have a commission with the rank of colonel, and that he be directed to repair to general Washington.

That Monsieur Malmedy be promoted to the rank, and have the pay of a colonel in the service of the United States.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, May 12, 1777.

A letter of the 5th from general St. Clair at Bedford, and a petition from Ebenezer Hazard, were read :

*Ordered*, That the petition be referred to the committee on the post-office.

A petition from Simon Edwards and others, pilots at Lewistown, was read :

*Ordered*, That it be referred to the marine committee.

*Resolved*, That the secret committee be empowered to employ the Amphitrite as an armed vessel in the service of the United States, on the best terms they can make with the captain, and to allow him for his owners, himself and crew, such share of the prizes by her taken as shall be agreed on between them.

Congress proceeded to the election of two brigadiers general, and the ballots being taken, colonel Jedediah Huntington, and colonel Joseph Reed, were elected.

The committee on the post-office to whom the petition of Mr. E. Hazard was referred, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That all post-masters, post-riders, and persons immediately concerned in conducting the business of the post-office, ought to be exempted from all military duties ; and that it be recommended to the legislatures of the different states to exempt such persons accordingly.

A letter of the 5th from governor Trumbull was read :

*Ordered*, That it be referred to the board of war.

A motion being made respecting general Schuyler :

*Ordered*, That it be referred to the board of war.

A letter of the 9th from general Washington, with a copy of one the 30th of November last from Silas Deane, brought by colonel Conway, were read :

*Ordered*, That they be referred to the committee on foreign applications.

*Resolved*, That a member be added to the said committee : The member chosen, Mr. Carroll.

*Ordered*, That 1000 dollars be advanced to captain Matthew Irwin, to enable him to raise the company to which he is appointed by general Washington, in one the sixteen regiments



*Resolved*, That the committee on appeals be authorized to appoint a register to attend the said committee.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, May 13, 1777.

*Ordered*, That 800 dollars be advanced to captain Craig of the light horse, for the use of his troop; he to be accountable.

*Ordered*, That the board of war inquire into the truth of a report, that captain Craig has enlisted into his troop some deserters and prisoners from the enemy, and that they take such measures as are consistent with the resolutions of Congress and the public service.

A letter of the 10th and one of the 12th from general Washington were read :

*Ordered*, That they be referred to the board of war, who are directed to send to the board of treasury a copy of such parts thereof as relate to the accounts of the army.

Sundry resolutions of the convention of the state of New-York were laid before Congress, and read.

The committee on foreign applications, to whom were referred the letters by colonel Conway, brought in a report; whereupon

*Resolved*, That another brigadier general be appointed :

The ballots being taken, Thomas Conway, knight of the order of St. Louis, was elected.

The board of treasury reported :

“ That they have examined the late general Montgomery's accounts with the United States; major general Schuyler's accounts down to the 20th of March last; the accounts of Jonathan Trumbull, jun. esq; paymaster general of the northern department, to the 28th of January; and the accounts of Walter Livingston, esq; deputy commissary general for the said department, as respectively reported to them, and settled and adjusted by the commissioners of accounts of the army in the said department; and that they approve of the settlement and adjustment of the said respective accounts by the commissioners.” Whereupon

*Resolved*, That the said report stand confirmed.

*Resolved*, That the several purchasing and issuing deputy or assistant commissaries in the northern department, settle and adjust their accounts of receipts and expenditures, and issues, with the commissioners for settling the accounts of the army in the said department.

*Resolved*, That every warrant of a general officer, having authority to draw on the military chest, or paymaster or deputy paymaster general in any department, shall specify the particular service or account for which the same shall be drawn, in order to enable the treasury board and commissioners of accounts to make the proper charges and to do justice to the public.

*Resolved*,



*Resolved*, That col. Hartley's accounts be referred to the commissioners for examining claims against the United States, and that they be directed to report thereon specially.

A letter of the 6th from R. Yates, at Albany, inclosing a copy of a letter from James Deane, was read :

*Ordered*, That it be referred to the committee on Indian affairs.

The committee on the treasury reported ;

" That there is due to Robert Stevens, for four rifles delivered to captain H. Stevenson, for the use of his rifle company, 55.30 dollars, to be charged to the said captain Stevenson.

To Walter Shee, for superintending the printing and rolling presses for the loan-office certificates, twenty-six days, at two dollars a day, 52 dollars :

To Leonard Klem, for the half ferriage of troops over Conestoga Creek, 36.35 dollars, to be paid to John Mucer :

That there should be advanced to Mr. Clajon, secretary to major-general Gates, 200 dollars on account of his pay."

*Ordered*, That the said sums be paid.

An appeal from the judgment of the court of admiralty, for the state of Rhode-Island and Providence Plantations, on the libels of Joseph Stanton, &c. and Samuel Champlin, &c. against the schooner Two Brothers, being lodged with the secretary, was referred to the committee on appeals.

Congress resumed the consideration of the articles of confederation as reported by the committee of the whole ; and after debate,

*Resolved*, That the further consideration thereof be postponed.

The board of war brought in a report, which was taken into consideration ; whereupon,

*Resolved*, That general Washington be requested to enquire into the case of major Campbell, of the 8th Virginia regiment, and if his commission which was ordered him by the resolution of Congress of the 21st January last was out of course, that the general be empowered to settle all disputes between the said major Campbell, and all the other officers belonging to the state of Virginia, concerning rank ; and that the said commission, if the general shall so determine, be rendered null and void.

*Ordered*, That the secret committee deliver to the quartermaster general, the linen in their hands fit for tents.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, May 14, 1777.

*Ordered*, That a copy of the complaint lodged with the marine committee against commodore Hopkins, be delivered to Mr. Ellery, for the said commodore Hopkins.

A letter of the 9th from general Washington, with sundry papers inclosed, was read :

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*Ordered*,

*Ordered,* That the same be referred to the committee on foreign applications.

*Ordered,* That a warrant for 10,000 dollars be drawn on the treasurer at Baltimore, in favor of Robert Cummins, for supplying provisions to the troops passing through that town; he to be accountable.

*Resolved,* That Mr. R. Cummins be directed to make up his accounts, and lay the same before the commissioners for claims at Philadelphia; and that he be directed to make no farther purchases without the special orders of Congress.

The board of war reported: "That they have enquired into the situation of captain Craig's troop, and find there are no deserters from the enemy or prisoners of war therein:

That the Virginia foldiers who served in the continental army last winter under general Washington, should be allowed cloaths agreeable to the general's direction, in consideration of the hardships they endured, and the services they have rendered.

*Resolved,* That the said report be agreed to.

The committee on the treasury upon a representation to them made by the managers of the lottery of the United States, brought in a report, which was taken into consideration; whereupon,

*Resolved,* That treasury bank notes for prizes which shall be drawn in the first class of the United States lottery of the denominations required by the scheme, be immediately prepared by the board of treasury; that the said notes be in the form following:

	NUMBER.	DOLLARS.	NUMBER.
United States Lottery.	DOLLARS.	<i>THE United States of America acknowledge themselves to be indebted to</i>	
		<i>in</i>	
		<i>dollars, being for a prize of that value drawn in the United States lottery, which they promise to pay to the said</i>	
		<i>or bearer, on the</i>	<i>day of</i>
		<i>with interest annually at the rate of four per cent, agreeable to a resolution of the United States, passed the eighteenth day of November, 1776.</i>	

That such notes be signed by Michael Hillegas, esq. treasurer of the United States, or by his son Samuel Hillegas, and countersigned by any one of the manager, of the lottery, and numbered from number one progressively;

That the cash prizes in the three first classes of the lottery shall be paid by the managers, and the treasury bank notes for the other prizes issued by them:

That the pre-emption of such tickets in the next succeeding class as shall not be renewed within the time limited in the scheme of the lottery, shall be granted to the fortunate adventurers in the preceding class, according to the order of their application:

That the managers of the lottery of the United States be directed

rected, in cases of doubt or difficulty, to apply for advice to the board of treasury, who are impowered and directed to give the said managers such advice and directions respecting the drawing and conducting the business of the said lottery as they shall judge prudent and expedient.

A petition signed Seth Sweetser, town clerk, in behalf of the town of Charlestown, in Massachusetts-Bay, was read :

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. Carroll, Mr. Heyward, and Mr. J. B. Smith.

The committee on the commissary's department brought in a report, which was read :

*Ordered*, To lie on the table for consideration.

Congress took into consideration the report on the quartermaster's department ; whereupon

*Resolved*, That the quarter-master general of the army be authorised and impowered to appoint one commissary of forage for the army, and one for each of the military departments thereof, with such and so many forage masters as he shall judge necessary.

2. That the duty of the commissary of forage shall be to purchase such quantities of forage and store the same in such magazines as the quarter-master general or deputy quarter-master general of any department shall from time to time order and direct. That the commissaries shall conform themselves in making purchases to such rules and regulations as shall be prescribed to them by the quarter-master general or deputy quarter-master general of the department to which they shall severally belong.

3. That all forage purchased by any commissary of forage and delivered into any magazine, shall be received by the forage-master thereunto appointed, who shall give his receipt for the same, specifying the sort, quantity, and quality, as a voucher for the commissary of forage, to be by him produced to the quarter-master general or deputy quarter-master general of the department in support of his account.

4. The commissaries of forage shall make a monthly return to the quarter-master general or deputy quarter-master general of the department, of all forage by them purchased, specifying to what forage master, and into which magazine the same was delivered, that the forage-master may stand charged therewith.

5. No forage master to whose care any magazine of forage shall be committed, shall issue any part thereof unless by a written order of the commander in chief, the commander in chief of the department, the commanding officer of the post where such magazine may be established, the quarter-master general or deputy-quarter-master general of the department, or one of his assistants, the waggon-master general, or any other waggon-master ; such orders to specify for whose use the forage is intended ; and every such order to be filed by the forage-master, and a regular entry thereof

thereof made in a book to be by him kept for that purpose, as a voucher for the expenditure of the forage by him received.

6. The forage-masters shall make monthly returns to the quarter-master general and deputy quarter-master general of the departments they belong to of the state of their magazines, specifying the quantity left in store at the first and every succeeding return, the quantity received since the last return, the expenditure since such return, and what remains on hand.

7. And whereas it frequently happens that there is a necessity to detain hired carriages, the owners whereof were to find their own forage, far beyond the time for which the owners thereof agreed to serve, and who if their own forage is expended must have recourse to the public magazines; it is resolved, that such persons so detained and become destitute of forage, shall upon the written order of any of the officers mentioned in the fifth resolution, be supplied out of the public magazines; and the waggon master before he signs the discharge for any such hired carriage shall direct the forage-master to indorse thereon the quantity, sort and quality, of the forage furnished such person, that the same may be deducted out of the wages due to the owner of such hired carriage; all which deductions shall by the quarter-master general or deputy quarter-master general of the department, be carried to the credit of the forage-masters accounts who shall have furnished the forage.

8. If the commissary of forage in any department should be ordered to procure such large quantities of forage as to render it impossible for him to do it without assistance, the quarter-master general or deputy quarter-master general of the department shall direct one or more of his assistants to aid the commissary of forage pointing out the districts in which they are severally to purchase, that one may not enhance the price by bidding above another.

9. Whereas notwithstanding the orders that have been from time to time issued by general officers of our army to prevent the loss and embezzlement of intrenching tools and other military stores, great waste hath been made; to prevent which for the future, it is resolved, that every commissary of stores, store-keeper, or person to whose charge and care any military stores of what kind soever shall be committed, shall pass his receipt, and stand charged to be accountable for the same, and shall not issue any of them without taking a receipt for the same, the receiver promising to be accountable: and if any person having received any such stores shall lose or embezzle the same, the commissary, store-keeper, or person by whom they were delivered, shall charge him with the value thereof, and transmit a copy of such charge to the paymaster general or deputy-paymaster general of the department, who is to charge the same to the pay-master of the corps such person may belong to, unless it shall appear that such loss happened without any blameable negligence or omission: and if



if any person in the continental service shall sell or otherwise dispose of any stores committed to his care without a written order for so doing issued by the commander in chief, or the commander in chief of the department, or by a general officer commanding at a separate post, he shall be punished for theft.

10. The waggon-master general of the army, or waggon-master in any of the departments thereof, shall receive from the quarter-master general, or deputy quarter-master general of any department, all such horses, cattle, and carriages as the service may require; and neither the waggon-master general, nor any other waggon-master shall on any account presume to purchase any horses, cattle, or carriages for the public service without the express order of the commander in chief, the commander in chief of the department, the quarter-master general or deputy quarter-master general of a department; nor shall the waggon-master general or any other waggon-master hire any horses, cattle or carriages, unless by the authority aforesaid, or by that of an assistant deputy quarter-master general.

11. The quarter-master general shall appoint such assistants and make such arrangements for conducting the business of his department as to him and to the commander in chief and commander of the departments shall seem most conducive to the public weal; and a copy of such arrangement specifying the names of the assistants, commissaries of forage, waggon-masters, forage-masters, and clerk of the several departments shall be transmitted to the board of war: and every assistant of the quarter-master general of the army, and every assistant of the deputy quarter master general of the several departments thereof shall make monthly returns of every article of what kind soever that may be in or at any of the forts, encampments, magazines, or places in the district committed to his care to the deputy quarter-master general of the department, noting what is good, what is reparable, and what is unfit for farther service, in separate columns; from which returns the deputy quarter-master general shall make one general return, in which shall be specified the total of all the articles in every district within his department: one copy whereof shall be monthly transmitted to the board of war, one to the commander in chief of the department, and one to the quarter-master general; from which returns the quarter-master general shall make out a general return, specifying what is in each department and every district thereof; one copy whereof shall be monthly transmitted to the board of war, one to the commander in chief, and one to the commander of each department.

12. Every assistant quarter-master, commissary of forage, waggon-master general, forage-master, and every other person employed in the quarter-master general's branch, who shall neglect or refuse to make such monthly returns, shall be dismissed the service by the quarter-master general or the deputy quarter-master

master general of the department to which such delinquent belongs.

13. And in order that all deputy quarter-masters general and assistants may make their returns in such a manner as to avoid that great confusion which has heretofore arisen from a want of method, the quarter-master general is to furnish his deputies with a form, copies whereof they are to deliver to the assistants and to every person in the quarter-master generals's branch who may be called upon for a return.

14. The quarter-master general and the deputy quarter-masters general in the several departments shall have full power and be authorized with the consent of the commander in chief, or commander of the department, to dismiss any person by them employed who shall refuse or neglect any duty enjoined by the foregoing resolutions, or any other duty he may be charged with, and to appoint others in the stead of such as may be dismissed.

15. The general and commander in chief of our armies, and the commander of any department thereof, shall be allowed as much forage for their horses and those of their suit as the service may require.

16. A major-general and a brigadier-general, not having the command of a separate department, shall each be allowed forage for six horses for themselves, their aids de camp, or brigade-majors and servants.

17. The commander in chief and the commander in any separate department shall be authorized to allow such quantities of forage, and for and during such times as they shall think proper to the quarter-master general and his deputies, to the muster-master general and his deputies, the chief engineer and his assistants, the commissary-general and his deputies, the director-general of the hospital, his subs and surgeons-general, to the adjutant-general and his deputies, to the colonels, lieutenant-colonels, majors, adjutants, quarter-masters, and surgeons of regiments, and to provosts martial, or to such and so many of the before mentioned officers and their deputies as the service shall necessarily require; provided always, that if any of the officers above mentioned, their deputies or assistants, should be allowed forage in consequence of any general orders hereafter given, and should nevertheless not keep any or so many horses as they would be permitted to draw forage for, in such case no forage shall be issued for more horses than they really have, nor shall they at any time thereafter be allowed any forage as back allowance or any money in lieu thereof.

18. A deputy quarter-master general shall be appointed to each department and one to each grand division of the army; the rank of the former to be that of a colonel, of the latter that of a lieutenant-colonel.

19. The

19. The quarter-master general with the approbation of the commander in chief, or commander in any separate department, shall appoint a competent number of deputy quarter-masters general, a waggon-master general, and so many waggon-masters as the service from time to time requires, and make a return to the board of war of the names of the persons so appointed.

20. *Resolved*, That major-general Mifflin be allowed for his service as quarter-master general 166 dollars per month, in addition to his pay as major-general.

That the pay of a deputy quarter-master general of a grand division of the army be 75 dollars per month :

That the pay of an assistant deputy quarter-master general be 40 dollars per month, and that he have the rank of captain :

That the pay of a waggon-master general be 75 dollars per month :

That the pay of a deputy waggon-master general be 50 dollars a month :

That the pay of a barrack-master general be 75 dols. a month :

That the pay of a waggon-master or conductor of waggons be 40 dollars a month :

That the pay of a forage-master be 40 dollars a month.

*Ordered*, That 200,000 dollars be advanced to the quarter-master general for the public service, for which he is to be accountable; and that the same be paid by an order in his favor on the commissioner of the loan-office for the state of Pennsylvania for 150,000 dollars, and by another order in his favour on the commissioner of the loan office in the state of Connecticut for 50,000 dollars.

The committee of the treasury reported :

“ That there is due to colonel Lewis Dubois, for the pay of his battalion of New-York forces, the sum of 2757.9 dollars :

To captain Zephaniah Lott, for pay and mileage of a company of Bucks county militia in colonel Kirkbride's regiment, 271.30 dollars :

To Jacob Hiltzheimer, for sundry expressees he paid by order of Congress, the sum of 437.36 dollars :

To William Alexander, late a captain in the 7th Pennsylvania battalion, for balance of pay and sundry other charges, 513.63 dollars :

To captain James Wilson, of the 6th Pennsylvania battalion, for the balance of his pay-roll and sundry other charges, 640.76 dollars :

To lieutenant-colonel Beyer, for pay of himself and other field officers of colonel's Levan's battalion of Berk's county militia, 311 dollars :

To George M'Candles, to be paid by Gillam Taylor, for keeping continental horses at Baltimore, 99.57 dollars :



To William Tricket, for stationery supplied by him to the president of Congress and board of war, 139.18 dollars."

*Ordered*, That the said sums be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, May 15, 1777.

A letter of the 8th from Joseph Belton was read, requiring an extraordinary allowance for his new invented gun.

*Ordered*, That the same be dismissed.

The board of war brought in a report; whereupon

*Ordered*, That there be advanced to Col. Thomas Hartley, 17,800 dollars, to enable him to fulfil the contracts he has made under the recommendation of the board of war and the committee of Congress at Philadelphia, for arming and cloathing the battalion under his command; he to be accountable.

That 177,70 dollars be paid to Joseph Nourse, clerk of the board of war, for four months salary, commencing 10th January last.

That the sum of 790,57 dollars be advanced to the board of war and ordinance, for public service.

A memorial from John Dorsey and others, surgeons of the ships and vessels of war in the port of Philadelphia; also a petition from the lieutenants of the navy, and a petition from Benjamin Marshall and Thomas Search, were read:

*Ordered*, That they be referred to the marine committee.

*Ordered*, That the board of treasury prepare and report to Congress with all possible dispatch, an estimate of the public expences for the present year, distinguishing in such estimate the expence of the commissary, quarter-master and barrick-master general, and the medical department; and that they confer with the marine board and with major general Schuyler on this subject.

*Resolved*, That a committee of three be appointed to devise ways and means for defraying the expences of the present year; and that they confer on this subject with the board of treasury.

The members chosen, Mr. Morris, Mr. Duer, and Mr. Witherspoon.

*Resolved*, That major general Schuyler be directed to annex captain Burke's independent company to colonel Patton's regiment, until general Washington shall direct otherwise.

The committee on the treasury reported:

"That there is due to Henry Shitz, for thirty-five reams of paper for continental certificates, 350 dollars:

To Henry Trict, a private in captain Hay's company of the 6th Pennsylvania regiment, for a rifle gun belonging to him lost in the public service, 14.30 dollars:

To Robert Criswell, for two months and ten days pay due to Charles Crook, a private in captain William Armstrong's company



of colonel Montgomery's regiment of flying camp, which Crook was an apprentice to the said Criswell, and taken at Fort Washington the 16th November, and died at New-York 26th January, 15.50 dollars."

*Ordered*, That the said accounts be paid.

*Ordered*, That a warrant for 35,100 dollars be drawn on Nathaniel Appleton, Esq; commissioner of the loan-office in the state of Massachusetts-Bay, in favour of the said Nathaniel Appleton; the same being in full of two orders drawn by Abraham Livingston and William Turnbull, on R. Morris, in favour of the said N. Appleton, one dated at Boston, March 5, 1777, for 20,100 dollars, the other dated at the same place, March 17, 1777, for 15,000 dollars; and that the same be charged to the account of James Mease, clothier general.

The board of treasury having requested the direction of Congress relative to prisoners of the flying camp, to enable the commissioners of claims to settle several accounts.

*Resolved*, That officers and foldiers of the flying camp who were taken prisoners, and released by the enemy on their parole, or who made their escape, be allowed pay to the time of their return home.

*Resolved*, That it be referred to the board of treasury to consider whether any allowance and how much ought to be made to the said prisoners for rations, and report thereon to Congress.

*Resolved*, That every officer, non-commissioned officer, or soldier in the army of the United States, who shall on any pretence whatever presume to take out of any stable, pasture, park, or carriage, any horse or horses belonging to the public, or any belonging to private persons actually employed in the public service, without having authority so to do by written order of the commander in chief, the commander of any department, the commanding officer of any post where such horses may be, the quarter-master general, or any of his deputies or assistants, or by the commanding officer of artillery, or any detachment thereof, who may give order for taking of horses assigned to that corps only, such orders to specify the particular service for which such horse or horses are taken, shall be for such offence as soon as may be brought to a general court martial, and if the fact is proved to the satisfaction of the court, the commander in chief, or other general officer having given order for such court martial to convene, shall upon conviction immediately dismiss from the service such offender, if an officer, unless from some circumstances the commander in chief or such general officer shall see cause to pardon the offence; and if a non-commissioned officer or private, he shall order such corporal punishment to be inflicted as he may think proper, not exceeding one hundred lashes, unless from some circumstances the commander in chief or such general officer shall see cause to pardon the offence.

A petition from James Norris, with two affidavits inclosed, was read :

*Ordered*, That the same be referred to general Washington.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, May 16, 1777.

A letter of the 12th and one of the 13th from general Washington, and one of the 15th from major general Putnam, were read ;

*Ordered*, That they be referred to the board of war.

Mr. Frost, a delegate from New Hampshire, attended and produced the credentials of his appointment; which were read as follows :

“ State of New Hampshire, in the house of representatives, April 1, 1777. Voted and resolved, that major general Nathaniel Folsom, and the honorable George Frost, esq; be and hereby are chosen and appointed delegates to represent this state in the Continental Congress for one year next ensuing, with all such powers and authorities as the delegates heretofore appointed by this state have had and exercised.

Sent up for concurrence. John Dudley, speaker pro tempore. In council, the same day read and concurred. Attest. E. Thompson, secretary.”

*Ordered*, That 10,000 dollars be advanced to colonel Stephen Moylan, for the service of his regiment of light horse; he to be accountable for the expenditure.

The committee to whom the petition from the town of Charlestown was referred, reported : “ That they have duly attended to the several facts set forth in the said petition, and while they lament the distressed condition of the petitioners, reduced from affluence and ease to want and penury by the calamities of war, they regret the inability of the United States to afford the solicited relief. Though the estimation of the damages sustained may be very moderate, and the great and early sufferings of the inhabitants of Charlestown intitle them to particular attention;—yet the committee apprehend, that if Congress were to pay that valuation, claims much more extensive and of a similar nature will be made by other sufferers, and subject the United States to the payment of sums of money, which in the present exigency of their affairs cannot be spared from the support of the present just and necessary war.”

*Resolved*. That Congress agree to the said report.

*Resolved*, That the committee on the commissary's department be empowered to administer oaths or affirmations to persons examined by them.

The board of war brought in a report, which being read and debated, the determination thereon was at the request of a state postponed till to-morrow.

The

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

Saturday, met and adjourned to 10 o'clock on Monday.

MONDAY, May 19, 1777.

A letter of the 16th from general Washington was read:

*Ordered*, That 10,000 dollars be advanced to Joseph Trumbull, esq. commissary general for public service; he to be accountable.

*Ordered*, That Mr. Clymer and Mr. Wilson have leave of absence; the former for the recovery of his health, the latter to transact some private affairs.

Application being made in behalf of John Glover for leave to return home to his friends in England:

*Ordered*, That he have leave to return in a continental vessel by the way of France.

*Resolved*, That Mrs. Graydon be permitted to go to New-York to see her son, a prisoner, at such time and in such manner as general Washington shall direct.

*Resolved*, That captain Thomas Webb be considered as a prisoner of war; and that it be referred to the board of war to deal with him as they shall judge consistent with the public weal.

A petition from Nathaniel Forster, of Cape May, in behalf of himself and divers other inhabitants of the said cape, was read; praying to be supplied with a few pieces of cannon, and a suitable quantity of ammunition, for the defence of the inhabitants of the cape, and protection of vessels that may be there driven ashore; whereupon,

*Ordered*, That the marine committee supply the petitioners with six pieces of cannon, and that the board of war supply them with a suitable quantity of ammunition.

A letter from governor Johnson to the marine committee, with sundry papers inclosed; also a letter of the 9th from William Aylet, esq. at Williamsburgh; one of the 17th from Jonathan Hudson, at Baltimore; and one of this day from the board of war for the state of Pennsylvania, were read:

*Ordered*, That the letter from the board of war of Pennsylvania be referred to the board of war: that the letter from Mr. Aylet be referred to Joseph Trumbull, esq. commissary general.

*Ordered*, That 20,000 dollars be advanced to Jonathan Hudson, esq. for public service; he to be accountable;

And that he be informed that the arrearages due to the troops on their march from the southward, will be discharged at Philadelphia or Bristol; and that it is not the intention of Congress that he should advance larger sums than are necessary to forward their march to head quarters.

*Resolved*, That a committee of three be appointed to consider what honours are due to the memory of the late brigadier Wooster, who died on the 2d of May, of the wounds he received on  
the



the 27th day of April, in fighting against the enemies of American liberty :

The members chosen, Mr. Heyward, Mr. S. Adams, and Mr. Page.

The board of war brought in a report, which was taken into consideration ; whereupon,

*Resolved*, That no stoppages be made for the present from the pay of soldiers who were servants, for any monies paid their late masters ; and that it lie over for future consideration, whether such monies be charged to continental account, or be borne by the particular states wherein the servants were enlisted.

*Resolved*, That Mr. President M'Kinley be informed that the independent company ordered by Congress to be raised and stationed at Lewistown, and the places adjacent in the Delaware state, was intended as a relief to the militia of that state ; and that Mr. Fisher being thought a proper person to command, had the offer of being appointed the captain ; but if he declined it for the sake of expedition, power was given him to nominate officers, measures of a similar nature having been repeatedly taken in other states, especially for particular and local purposes, and no offence meant to or taken by the governments of such states :

That the commissary general has been directed to appoint a person to supply the company with provisions ; and that orders are given to the captain to obey any directions he may receive from the government of the Delaware state : that the president be informed, that the captain of the company is directed to apply to him for the 1500 dollars, agreeable to his request ; and that he be farther informed, Congress consent that the encampment of the militia for the present be in the Delaware state, at or near the place pointed out in his letter, below Chester ; and that they be held in readiness to march out of that state, if the service shall so require it ; but that if no such provision has been already made by law for that purpose, that it be recommended to the legislature immediately to make such provision.

*Resolved*, That the president be desired to write to the legislature of the states of Pennsylvania and Maryland, recommending to them to make provision by law to march the militia out of their respective states, when necessary for the common defence ; and to authorise the executive powers from time to time to limit the continuance of the militia in service when called out, and to what distance they may be ordered to march.

*Resolved*, That Matthias Christman, an indented servant of John Bringham, enlisted in captain Lang's company, in colonel Hubley's regiment, be discharged by the commanding officer of the said regiment ; and that captain Lang be directed forthwith to repair with his company to head quarters.

In consequence of an adjustment by the commissioners of claims, the auditor general reported :

“ That



"That there is due to Christopher Patterson, who served in colonel Wood's battalion of Pennsylvania forces, in Canada, 13.60 dollars, which sum was due to him before the battalion was paid off at the end of their enlistment, and would then have been paid him, but being sick in the hospital his name was omitted in the muster-roll:

To captain William Houston of colonel Frederick Wall's battalion, flying camp, for 27 rifles and one drum lost at Fort Washington, 376.42 dollars:

To lieutenant-colonel Reifs, for the pay of the two following companies of Berks county militia, viz. Captain Farry's company, 683.8 dollars, captain Hettrick's company 535.4 dollars; the whole amounting to 1218.12 dollars."

*Ordered*, That the said accounts be paid.

*Resolved*, That there be put into the hands of the commissioners of claims, for the purpose of paying the prisoners who were taken at Fort Washington, the sum of 1000 dollars; they to be accountable.

*Ordered*, That there be advanced to lieutenant Samuel Cobbs, of the 2d Virginia regiment, the sum of 100 dollars, and charged to the account of Alexander Spotswood, colonel of the said regiment.

Congress resumed the consideration of the report of the board of war of the 16th; and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, May 20, 1777.

A letter of this day from general Arnold, with a printed paper inclosed, signed John Brown; one from H. Williamson; one of the 19th from doctor W. Shippen, director general; one from Joseph Trumbull, commissary general; one of the 10th from Alexander Martin, colonel of the 2d battalion of North-Carolina forces, at Fredericksburgh; one of the 17th from J. M'Kinley, president of Delaware; also a memorial from John Cary, and a petition from Timothy Folger, were read.

The board of war laid before Congress a petition from George Lyne, major of the 12th Virginia regiment, wherein he prays that the rifles and powder-horns of captain Michael Bowyer's company of the said regiment may be received by the commissary general of military stores, and that the men receive for them a reasonable price, the said company having been raised by the convention of the state of Virginia for the defence of the frontiers, and not to be drawn from thence without their consent, and each to receive for the use of his rifle 20s. per annum; but being taken into continental service, and having agreed to march

with

with the regiment, fourteen of them have brought their own arms with them, not having had time or opportunity to dispose of them before they began their march; whereupon,

*Ordered*, That the said arms be received by the commissary general of military stores; that they be appraised, and the price thereof paid to the men; and that the difference between the appraisement and what the said arms cost the men, be also paid them as a compensation for the use of the arms.

*Resolved*, That the quarter-master general be directed to procure a horse, and present the same properly caparisoned, to major general Arnold, in the name of this Congress, as a token of their approbation of his gallant conduct in the action against the enemy in their late enterprize to Danbury, in which general Arnold had one horse killed under him, and another wounded.

*Ordered*, That the letter from general Arnold, with the paper inclosed, be referred to the board of war, together with such complaints as have been lodged against general Arnold:

That the letter from doctor Shippen be referred to the medical committee; and that doctor Williamson's letter be dismissed.

*Resolved*, That the vessels now laden on account of the United States, by Mr. Commissary Aylett, with flour for the eastern states, excepting such as are to be employed in transporting provisions to the head of Elk, may sail at such time as Mr. Aylett shall think proper.

*Ordered*, That the petition of T. Folger be referred to the marine committee: that the petition from John Cary be referred to general Schuyler.

A letter of the 2d from J. Warren, speaker of the house of representatives of the state of Massachusetts-Bay; and one of the 7th from E. Hancock, deputy pay-master general in the eastern department, were read:

*Ordered*, That the former be referred to the board of war, and the latter to the board of treasury.

*Resolved*, That the sum of five millions of dollars in bills on the credit of the United States, of the same tenor excepting the date, and of the same denomination as the last emission, be forthwith emitted under the direction of the board of treasury.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, May 21, 1777.

General Schuyler laid before Congress the proceedings of a court martial held at Philadelphia the 19th and 20th instant, on the trial of John Brown, alias John Lee, signed by Stephen Moylan, president; wherein the court determine that the prisoner is guilty of conducting five men to Brunswick;—of holding a traiterous correspondence with the enemy, in offering himself as a pilot to general Howe to conduct the British army from Brunswick

swick to Philadelphia;—and also in promising to discover to the enemy to what place the continental stores from Philadelphia were removed; and the court found the prisoner guilty of a breach of the nineteenth article of the thirteenth section, and were of opinion he should suffer death; but from some circumstances which appeared on his trial, the court think proper to recommend him to the general as an object of mercy.

*Ordered*, That the said proceedings be referred to the board of war; and that they inquire into the circumstances which induced the court to recommend the criminal as an object of mercy, and report to Congress.

Congress took into consideration the letter from governor Johnson, with the several papers inclosed; and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, May 22, 1777.

A letter of the 11th, and one of the 14th, from general Gates, at Albany; one of the 16th from brigadier general M' Dougall, at Peek's-Kill; and one of the 13th from Gouverneur Morris, were read:

*Ordered*, That the last be referred to the marine committee.

*Resolved*, That blank commissions be delivered to the delegates of Maryland, for the seven battalions of Maryland forces, to be by them filled up with the names of the officers, but without affixing any date, which is to be inserted according to the orders of general Washington, who is to settle the rank of the several officers.

Congress resumed the consideration of the report of the board of war of the 16th; whereupon

*Resolved*, That Albany, Ticonderoga, Fort Stanwix, and their dependencies, be hence forward considered as forming the northern department:

That Major-General Schuyler be directed forthwith to proceed to the northern department, and take the command there:

That the resolution passed the 6th March, 1776, directing general Schuyler to establish his head quarters at Albany, be repealed.

In consequence of an adjustment by the commissioners for auditing accounts, the committee on the treasury report:

“ That there is due to David Grier, for his pay as major and lieutenant colonel, and for the pay of several officers of the 6th Pennsylvania regiment, between the 1st January and 20th March, 594.60 dollars; and for the repairs of arms and of a guard-house at York-Town, 32.41 dollars, amounting in the whole to 627.11 dollars:



To major Richard Campbell, of the 8th Virginia regiment, for sundry expences he paid while in Georgia and South-Carolina, 135.69 dollars; for sundry rations to sundry men at different times, 20.40 dollars; and for 30 cords of wood while in barracks at Winchester, 30 dollars; the whole amounting to 186.19 dollars:

To the following gentlemen of the Philadelphia light horse, who were ordered to New-Jersey on public service by Congress, agreeable to their respective accounts, and to be paid to Benjamin Randolph, viz. To Benjamin Randolph, 102.42 dollars; to John Lardner, 11.47 dollars, to Thomas Peters, 21.30 dollars, to James Hunter, 21.30 dollars, to John Dunlap, 21.30 dollars, and to Thomas Leiper, 21.30 dollars; the whole amounting to 199.29 dollars:

To George Weifs, for riding expresse to Esopus, Boston, &c. by direction of Congress, 186.60 dollars:

To lieutenant colonel Ramsay, for his own and captain Davison's expences to Virginia, by order of major general Schuyler, to hasten the march of the North-Carolina troops, 133.78 dollars.

*Ordered*, That the said accounts be paid.

*Ordered*, That 5000 dollars be advanced to John Knight, pay-master of the 7th battalion of continental troops, raised in Pennsylvania, towards the pay and subsistence of the said battalion.

Whereas from the representation of the deputy pay-master general in Virginia, it appears that there is in his hands a considerable sum of money which cannot be drawn out, there being no general officer in the state to draw warrants; and whereas the public service may be greatly retarded for want of the necessary supplies of money;

*Resolved*, That whenever it shall happen that there is no general officer resident in the state, the governor and council be authorized and empowered to draw warrants upon the deputy pay-master general in Virginia, for such sums of money as in their opinion may be requisite for the service of the United States.

The board of treasury brought in a report, which was taken into consideration; whereupon Congress came to the following resolutions:

Whereas Congress on the 20th instant resolved, that five millions of dollars of the same tenor, the dates excepted, and the same denominations as the last emission shall be emitted under direction of the treasury board;

*Resolved* therefore, that the said bills so to be emitted shall consist of the following denominations:

76923 bills of 30 dollars,	76924 bills of 5 dollars.
76923 do. of 8 do.	76923 do. of 4 do.
76923 do. of 7 do.	76923 do. of 3 do.
76923 do. of 6 do.	76923 do. of 2 do.

*Resolved*, That the present inspectors of the press be directed and authorized to perform that service for the present emission:

That



That before they enter upon their office they shall respectively take an oath or affirmation to be administered to them by any magistrate, "well and faithfully to execute the trust reposed in them as inspectors of the preps for the said emission, according to the best of their skill and judgment:"

That the gentlemen appointed to sign and number the last emission, be authorised to number and sign the bills now agreed to be emitted, taking before they enter upon that office, an oath or affirmation to be administered as aforesaid, "that they will well and truly sign and number all the bills to be delivered to them by the inspectors of the preps appointed as aforesaid; and the same so signed and numbered will deliver or cause to be delivered to the continental treasurer, or such person as he shall appoint to receive the same."

And for avoiding dangers from fire, robbery, or negligence:

*Resolved*, That the inspectors of the preps shall not deliver to any class more than two parcels of two hundred sheets each, to be in their hands at any one time.

*Resolved*, That the plates used for the last emission shall be used in the emission now directed; and that the bills shall be expressed in the following words:

"THE UNITED STATES.

No.

DOLLARS.

*THIS bill entitles the bearer to receive* *Spanish milled*  
*dollars, or the value thereof in gold or silver, according to a resolution*  
*of Congress, passed at Philadelphia, May 20, 1777;"* and have  
such ornaments, escutcheons, and secret marks as the board of  
treasury shall direct.

That each of the said bills shall be signed by two signers, and each different denomination numbered from number one progressively.

*Resolved*, That if it shall be inconvenient to any of the inspectors or signers to attend the service required of them by these resolutions, and they shall decline the same, the treasurer shall be and he is hereby authorised to nominate other fit persons in their stead, and to return their names to the treasury board, and a certificate of their qualifications.

*Resolved*, That it shall be the duty of the inspectors faithfully to superintend the emission of the said bills, carefully to keep the stamps and papers which have been or shall be delivered to them for the purpose of the said emission, not to permit any impressions to be made unless in their presence; to cause so many bills and of such denominations to be struck as are hereby directed; to burn such of the bills as shall be imperfectly printed, and deliver the rest to the qualified signers, or to the treasurer, as shall be directed by the treasury board, or the treasurer, taking receipts from the person to whom they shall be delivered: that having compleated the emission, they shall carefully return the stamp and

the papers which may remain unused to the treasury board, or to such person as shall be authorized by them to receive the same.

That it shall be the duty of the signers faithfully to number and sign the bills, and hand them over to each other; the last signer to deliver them when signed to the treasurer, and to take his receipt for the same, which shall be delivered to the inspectors in exchange for the first receipts given by the respective signers for the unsigned bills to the same amount.

*Resolved*, That when the emission shall be completed, the inspectors shall deliver to the treasurer the receipts given by him to the signers for the several parcels of signed bills which shall from time to time have come into his hands: and the treasurer shall then give to the inspectors duplicate receipts for the whole amount of the emission; one of which shall be kept by them for their own discharge, and the other be delivered to the treasury board as a voucher to charge the treasurer.

*Resolved*, That the inspectors of the said emission shall employ such person or persons as they shall think worthy of confidence to print the said bills, who shall before his or their entering upon the business, take an oath to be administered before any magistrate, in the presence of the said inspectors, or one of them, "well and faithfully to discharge the trust reposed in him or them concerning the said emission, according to the best of his or their skill and judgment;" a certificate of which qualification shall be transmitted to the board of treasury by the said inspectors.

The committee on foreign applications brought in a report, which was taken into consideration: whereupon

*Resolved*, That Louis Fleuri, engaged by our commissioners in France, be sent as a captain of engineers to general Washington; and that two months pay be advanced to him.

*Resolved*, That the farther consideration of the report be postponed.

A petition from William Lenox was read:

*Ordered*, To lie on the table.

A memorial from Joseph Trumbull, commissary-general, was read:

*Ordered*, That Mr. Wilson make inquiry and bring in a resolution respecting the same.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, May 23, 1777.

A letter of the 21st from general Washington, at Morris Town; one of the 17th from John Lawrence, judge-advocate general; one of the 23d April from the committee of the convention of the state of New-York; and one of the 15th instant from John Morin Scott, were read:

*Ordered*, That they be referred to the board of war.

*Resolved*,

*Resolved*, That Messrs. Samuel and Daniel Hughes, who have entered into a contract for casting a quantity of cannon for the United States, be allowed for such cannon as they shall deliver after this time according to the contract, 22 2-3 dollars per ton, in addition to the sum mentioned in the contract.

*Ordered*, That 10,000 dollars be advanced to Messrs. Samuel and Daniel Hughes, on account, to enable them to fulfil their contract.

*Ordered*, That 400 dollars be advanced to colonel Gundy, of the 7th battalion of Maryland forces, for the use of his battalion; he to be accountable:

That 10,000 dollars be advanced to Mr. Halliday, pay-master of Colonel Richardson's battalion of the Maryland forces, for the use of the said battalion; he to be accountable:

That 350 1-4 dollars be paid to Francis Lewis, esq; and charged to the account of Jonathan Trumbull, jun. esq: deputy pay-master general in the northern department, the same being for so much money received by the said deputy pay-master general from Mr. Klyne. by order of the said F. Lewis, esq; as appears by a certificate given by Mr. J. Trumbull, 10th May, 1777.

A letter of this day from colonel Stephen Moylan was read:

*Ordered*, That it be referred to the board of treasury.

The board of war reported, "That they have had a conference with major general Arnold concerning the imputations cast upon his character, contained in an hand-bill, dated Pittsfield, April 12, 1777, and subscribed John Brown, laid before Congress by the general in his letter to the president: that the general laid before the board a variety of original letters, orders, and other papers, which together with the general's account of his conduct confirmed by the relation of Mr. Carroll, one of the late commissioners in Canada, now a member of this board, have given entire satisfaction to this board concerning the general's character and conduct, so cruelly and groundlessly aspersed in the publication."

*Resolved*, That the said report stand confirmed.

The board of war brought in a farther report, which was read:

*Resolved*, That the consideration thereof be postponed.

The marine committee to whom the letters from general Mac Dougall and Gouverneur Morris, respecting the manning and fitting two gallies for the defence of the North River, were referred, reported: "That they have taken the said letters into consideration, and are of opinion,

That such gallies as may be necessary for the defence of the said river ought to be equipped, and their operations directed by the state of New-York; for they find this kind of defence is undertaken by all the other states where it is found necessary."

*Resolved*, That the delegates of the state of New-York be desired to inform the convention of that state, that the above report of



of the marine committee is accepted and adopted as the sense of Congress on this subject.

The marine committee to whom the petition of Timothy Folger was referred, reported: "That the matter on which the petitioners pray to be relieved, depends on the construction of promulgated resolutions of Congress, which make part of the code of the laws of maritime war; which laws ought to be construed and applied by the courts of admiralty and commissioners of appeals in their judicial capacity, and not by Congress."

"That the case of the Sherburn having already received a judicial determination before the said courts where the parties had an opportunity of availing themselves of the full effects of the said laws, it is improper for Congress to come to any resolution relative thereto."

*Resolved*, That Congress concur with the committee.

The committee of foreign applications brought in a report, which was taken into consideration; whereupon

*Resolved*, That Michael Fabricy be informed that Congress do not think it expedient to accept his offered service.

Congress took into consideration the report on the commissary's department; and after some debate thereon,

*Resolved*, That the same be recommitted; and that Mr. R. Morris be added to the said committee.

*Resolved*, That a committee of three be appointed to confer with a committee of the house of representatives for the state of Pennsylvania respecting some complaints of the Indians:

The members chosen, Mr. Willson, Mr. Duane and Mr. Carroll.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

Saturday, met and adjourned to ten o'clock on Monday.

#### MONDAY, May 26, 1777.

A letter of this day from general Schuyler was read:

*Ordered*, That it be referred to the board of war.

An account from Robert Erwin was presented to Congress:

*Ordered*, That it be referred to the board of treasury.

Congress resumed the report of the committee for foreign applications; whereupon

*Resolved*, That Monsieur Mottin de la Balme receive a commission of lieutenant colonel of horse; and that his pay commence 20th January.

*Resolved*, That Monsieur Coppin de la Garde be recommended to general Washington for some subaltern employment in the division of general Sullivan, who has written in his favour to the board of war.

A memorial from Charles Pond, captain and commander of the armed sloop Schuyler, was read:

*Ordered*, That it be referred to the marine committee,

*Resolved*,



*Resolved*, That two members be added to the committee on foreign affairs:

The members chosen, Mr. Heyward and Mr. Lovell.

*Ordered*, That 20,000 dollars be advanced to the state of Georgia for the public service: the said state to be accountable.

A memorial from William Goddard, and one from B. Eyre, were read.

A memorial from Joseph Simpson was read:

*Ordered*, That it be referred to the marine committee.

A letter of the 28th April from James Stevenson, one of the commissioners for settling the accounts of the army to John Gibson, esq; auditor general, was laid before Congress and read:

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That 40,000 dollars be advanced to Joseph Trumbull, esq; commissary general, by an order on the loan office in Massachusetts-Bay.

The committee to whom was recommitted the report on the commissary's department, having brought in another report, Congress took the same into consideration; and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, May 27, 1777.

A letter of the 24th from General Washington, at Morris-Town, with a copy of a letter inclosed from generals Green, M'Dougall, Knox, Wayne, and Clinton, dated Peek's-Kill, May 17th; also a letter of the 16th from W. Aylett, at Williamsburgh, were read.

*Resolved*, That General Washington be impowered and directed to give the command of the light horse to one of the generals already appointed.

*Ordered*, That the letter from general Washington, with that inclosed, be referred to the board of war; and that they send a copy of so much thereof as relates to cables to the marine committee:

That the letter from W. Aylett be referred to the commissary general.

The secret committee having reported to Congress the circumstances of the ship Mary, captain Kennedy, and her cargo:

Congress took the same into consideration; and thereupon:

*Resolved*, That the said committee make an advance of so much money to the owners of the said ship as may be unquestionably due to them; and that the said committee, in conjunction with the delegates of Connecticut, do finally settle all matters relative to the said ship, cargo and freight, in such way as justice and equity shall demand.

The

The committee on the treasury reported :

“ That there is due to Benjamin Randolph, for eighteen boxes for packing paper for continental bills of credit sent to Baltimore, the sum of 38.12 dollars :

To colonel Robert Taylor, of the first battalion of Gloucester county militia, in the state of New-Jersey, for the mileage of the field officers, and part of three companies of the said battalion, 202.86 dollars :

To Samuel Fairlamb, upon a final settlement of his account for provisions, &c supplied the troops at Chester and Marcus-Hook, 235.47 dollars :

*Ordered*, That the said sums be paid.

*Ordered*, That a warrant issue in favour of the board of war for 250,000 dollars, to be transmitted to the pay-master general :

That a warrant issue in favor of Ebenezer Hancock, esq. deputy pay-master general of the eastern department, on the loan office in Massachusetts-Bay, for 250,000 dollars ; another on the loan office in the state of Connecticut, for 150,000 dollars, for the service of the United States ; he to be accountable :

That a warrant issue in favour of the board of war for the state of Pennsylvania for 50,000 dollars, for the express purpose of recruiting the army of the United States ; the said state to be accountable.

The committee on the treasury reported :

“ That there is due to John Young, saddler, for fundry saddles, carbines, pistols, &c. he furnished the troop of captain Henry Lee, jun. in colonel Bland's regiment of Virginia light horse, 1116.45 dollars ; the state of Virginia to be charged with the same sum :

That they have revised the accounts of James Warren, esq; late pay-master general, and find that in July last he rendered his account to Congress, by which there appeared to be due to the United States previous to the settlement, 28,216.70-72 dollars : that of this sum he had then in his hands but 26,320.67-72 dollars ; that the residue by fundry affidavits transmitted to Congress appears to have been lost in consequence of his keeping an additional office at the request of the general for the convenience of the army, 1896.3-72 dollars : that on adjustment of his account in July last, an allowance was made for his pay from the 31st March, 1775, to the 4th May following, and for assistance in his office 494.41 dollars : that no allowance was made for the loss of money, and the balance being struck, there appeared to be due to the United States, 27,722.36-72 dollars : that he afterwards paid to the order of general Ward, all the money that remained in the chest, being 26,320.67.72 dollars, without making any deduction for the aforesaid grant of 494.41 dollars : that in March last Congress resolved to allow him the loss aforesaid, but that 1401.32-72 dollars being then mistaken for

for 1896.53.72 dollars, he was deprived of the grant aforesaid made in July last, being 494.41 dollars, which is now due to him; and therefore that a warrant should issue on the loan office in the state of Massachusetts-Bay in favour of James Warren, esq. late pay-master general, for 494.41 dollars."

*Ordered*, That the said account be paid, and warrant issue accordingly.

*Ordered*, That 3765 1-2 dollars, be advanced to Jacob Moon, pay-master to the 14th battalion of Virginia forces, for the use of the said battalion; he to be accountable.

The board of war brought in a report, which was taken into consideration; whereupon,

*Resolved*, That Mr. Warren, speaker of the assembly of Massachusetts-Bay, be informed, that soldiers under the circumstances mentioned in his letter of the 2d instant, be allowed mileage as militia returning home: that Congress have allowed no compensation to any persons for losses they may have sustained by the enemy; and that it is recommended to the legislatures of the different states by the resolution of Congress of the 26th day of August, 1776, to make provision for the maintenance of disabled wounded soldiers belonging to their respective states, and to keep a regular account of the expence attending the same, that at a future day the continent may be discharged therewith:

That a letter be written to Mr. President M<sup>r</sup> Kinley, acquainting him that Congress are highly pleased with the spirit and alacrity of the militia of Delaware, as set forth in his excellency's letter, and depend upon their cheerfully turning out when it shall be necessary for the defence of their country, of which Congress will give them the earliest notice.

*Resolved*, That the general or commander in chief for the time being, shall have full power of pardoning or mitigating any of the punishments ordered to be inflicted for any of the offences mentioned in the rules and articles for the better government of the troops raised or to be raised and kept in pay by and at the expence of the United States of America; the fourth article resolved in Congress the 14th day of April last notwithstanding.

*Resolved*, That for the future there be only one chaplain allowed in each brigade of the army, and that such chaplain be appointed by Congress.

That each brigade chaplain be allowed the same pay, rations, and forage allowed to a colonel in the said corps:

That each brigadier general be requested to nominate and recommend to Congress a proper person for chaplain to his brigade; and that they recommend none but such as are clergymen of experience, and established public character for piety, virtue and learning.

Y

*Resolved*,

*Resolved*, That henceforward no servant employed by any person or persons in casting cannon or shot for the use of the United States, or any of them, shall be enlisted into the continental army.

*Resolved*, That a copy of that part of general Schuyler's letter of the 26th instant, which relates to the raising one or more troops of light horse in the vicinity of Albany, be referred to general Washington.

*Resolved*, That captain Stevens, of the artillery, have a brevet of major; he having had that rank before his present appointment as a captain, and being a worthy good officer, as general Schuyler represents.

*Resolved*, That a copy of that paragraph of general Schuyler's letter which relates to the payment of the army by abstract, be referred to the board of treasury.

*Resolved*, That if general Gates, before general Schuyler's arrival at Albany, shall have appointed a deputy adjutant general, and deputy judge advocate for the northern army, the said appointments be confirmed; if not, that general Schuyler be empowered to make these appointments.

*Resolved*, That the committee for Indian affairs be directed to transmit to the commissioners of Indian affairs in the northern department, such Indian intelligence as shall be received, and copies of all treaties made with the Indians in the middle department.

*Resolved*, That general Schuyler be empowered to fill up the commissions for colonel Livingston's regiment, agreeable to the ranks the officers respectively hold in the said regiment.

*Resolved*, That the pay of the assistant deputy pay-masters general in the northern army, be raised to 45 dollars per month.

The committee appointed to confer with a committee of the assembly of Pennsylvania, concerning a complaint made by the Indians, report: "That they have conferred with the said committee, by whom they were informed, that a considerable number of the inhabitants of Pennsylvania have seated themselves upon lands belonging to the Indians, without their leave or any authority from the state; and that the Indians are very uneasy on the account of such intrusion:" whereupon,

*Resolved*, That the executive power, or legislature of Pennsylvania, ought to take proper measures to quiet the minds of the said Indians, by assuring them that they shall have full satisfaction, either by the removal of the intruders, or by allowing them an adequate consideration for the soil, at the option of the Indians.

*Ordered*, That a copy of the foregoing report and resolve be transmitted to the commissioners for Indian affairs in the northern department.

The committee on the treasury reported:

"That there is due to Thomas Dewit, for board of sundry prisoners in the goal of Baltimore, and for firewood, candles, &c. from the 19th December to 3d March, 333.39 dollars:

To



To the reverend Robert M'Murdie, for his services as chaplain for one month and one day in colonel Watt's battalion of the flying camp, 34.40 dollars :

To George Graeff, to be paid to William Govet, for pay due to part of his company of colonel Cunningham's battalion of Lancaster county flying camp, from the 10th December to 1st January, 114.82 dollars :

To captain Hand's company of colonel Lawrence's battalion of flying camp, for the balance of subsistence due on his pay-roll, 86.41 dollars :

To the reverend James Caldwell, for the services of a company of light horse of Essex county, in the state of New-Jersey, commanded by captain Jacob Wynans, their horse hire and expences, 4873.54 dollars."

*Ordered*, That the said sums be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### W E D N E S D A Y, May 28, 1777.

*Ordered*, That a warrant be drawn on the commissioner of the loan office for the state of Pennsylvania, in favour of James Neilson, or order, for the sum of 15,233.54 dollars; the same being in full of a bill of exchange drawn by Levinus Clarkson, and John Dorcius, on Robert Morris, esq; dated at Charlestown, South-Carolina, March 29th, 1777; and that the same be charged to the account of the secret committee.

*Resolved*, That fifty blank commissions be sent to the state of Georgia, for filling up vacancies in the several battalions of foot, the regiment of rangers, and artillery companies in that state kept up at the continental expence :

That blank commissions be delivered to the delegate of North-Carolina, for the officers of the continental battalions from that state on their march to head quarters.

*Ordered*, That 3000 dollars be advanced to the delegate of North-Carolina for the use of that state; which is to be accountable.

A letter of the 27th from Dr. B. Rush was read :

*Ordered*, That it be referred to the medical committee.

A memorial from David Forman and William Harrison was read :

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the report from the committee on the commissary's department; and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, May 29, 1777.

A letter of the 23th from general Washington, at Morris-Town, with one inclosed from general Howe : a letter of this day from Joseph Trumbull, commissary general ; and one of the 26th from John Lawrence, judge advocate general, were read :

*Ordered*, That the letter from general Washington, and that from John Lawrence, be referred to the board of war.

A petition from Thomas Boulton, Anthony Gilchrist, and John Jordan, prisoners, was presented to Congress, and read :

*Ordered*, That it be referred to the marine committee.

*Resolved*, That a committee of three be appointed to form an estimate of the number of teams which will be requisite to convey the necessary provisions for the use of the army under the command of general Washington, in such quantities that the said army may be well supplied ; and that the commissary general lay before the said committee a particular state of all the magazines of provisions already laid up, specifying the quantity and the quality of the respective species of provisions in each magazine, and the places where such magazines are formed :

The members chosen, Mr. Duer, Mr. Middleton, and Mr. Burke.

*Resolved*, That a committee of three be appointed to confer with Mr. Trumbull on the subject of his letter to Congress, and general Washington's letter to him :

The members chosen, Mr. R. H. Lee, Mr. Clarke, and Mr. J. B. Smith.

*Resolved*, That no persons, horses, or carriages going to the army with provisions, and returning from thence, be pressed upon any pretence whatever.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That colonel Harrison's regiment of artillery be ordered from Virginia to head quarters, agreeably to general Washington's request.

*Ordered*, That the treasurer return to the board of treasury, certificates of the names and qualifications of the persons who are or shall be appointed inspectors or signers of the bills of credit directed to be emitted by a resolution of Congress, passed the 20th instant.

A petition from Abiather Rhoades was read :

*Ordered*, That it be referred to the board of war.

Mr. P. Livingston, Mr. Duane, and Mr. Duer, three of the delegates from the state of New-York, laid before Congress credentials of a new appointment made by their state, which are as follows :

“ In convention of the representatives of the state of New-York, Kingston, May 13, 1777. *Resolved*, That five delegates be elected by ballot, to represent this state in Congress until the legislature

legislature of this state shall at their first meeting make further provision: that three at least of the said delegates shall statedly attend; and that any two or more of them so attending be a quorum, and enabled to represent and give the vote of this state in Congress. The ballots of the several counties being taken and told, it appears that the honourable Philip Schuyler, Philip Livingston, James Duane, William Duer, and Gouverneur Morris, esquires, were duly elected to be the said delegates. Thereupon resolved, that the gentlemen above named be the present delegates of this state at Congress; and that the said delegates do from time to time give their attendance in Congress according to the orders of the council of safety of this state. Resolved, that the thanks of the representatives of this state in convention be given to Philip Livingston, James Duane, John Jay, William Floyd, Henry Wisner, Philip Schuyler, George Clinton, Lewis Morris, Francis Lewis, and Robert R. Livingston, jun. esquires, delegates of this state in the honorable the continental Congress, for their long and faithful services rendered to the colony of New-York, and to the said state. Extract from the minutes. Pierre Van Cortlandt, V. president. Attest. John M'Kesson, secretary."

The committee appointed to prepare an address to the inhabitants of the United States, reported a draught, which was read.

The committee appointed to confer with the commissary general, reported: "That they have had a conference with him, and received from him an account of the salted provisions laid up in magazines for the supply of the army; that the reason of the present appearance of an immediate want, has arisen from the stores laid up at Lebanon being removed to Carlisle, and those in this city to Lancaster, as it is said by order of Congress, without leaving a sufficient quantity for the present supply of the army; but that effectual measures are taking to remedy any inconveniencies arising from the measure:

That Mr. commissary proposes to repair to head quarters without delay.

*Ordered*, That the commissary general inquire particularly into the removal of the provisions from Lebanon, there having been only 40 barrels of beef and 40 barrels of pork ordered by Congress from that magazine to Carlisle.

*Ordered*, That 300 dollars be advanced to captain Charles Fleming, of the 7th Virginia battalion, for the use of the said battalion.

*Ordered*, That 3700 dollars be advanced to major Holt Richardson, for the use of the 15th battalion of Virginia forces, and charged to the account of the said battalion.

Congress resumed the consideration of the report on the commissary's department; and after debate thereon,

*Resolved*, That the further consideration thereof be postponed till to-morrow.

The

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

Friday, May 30, 1777.

A letter of the 29th from general Washington, at Middlebrook; one of the same date from Lewis Morris, aid de camp to general Sullivan, at Princeton; and one of the same date from governor Livingston, at Haddenfield, were read:

*Ordered*, That a copy of the letter from Lewis Morris be sent to the supreme executive council of the state of Pennsylvania; and that the letter from governor Livingston be referred to the board of war.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

*Resolved*, That blank commissions be sent to general Washington, for the French officers lately arrived in the Amphitrite, to be filled up agreeable to a list to be forwarded to him by the committee; the rank of each class of the said officers to be settled by the date of their commissions from the king of France.

Congress resumed the consideration of the report on the commissary's department; and several amendments being made.

*Resolved*, That it be recommitted in order that it may be accommodated to the amendments made.

A letter of this day from Thomas Wharton, esq; president of the supreme executive council of Pennsylvania, was read:

*Ordered*, That it be referred to the board of war.

*Ordered*, That a warrant be drawn on the treasurer at Baltimore, for 25,000 dollars, in favour of colonel Moylan, for the use of his regiment; he to be accountable.

*Ordered*, That colonel Moylan lay before the board of war, a particular estimate of the expence of raising and equipping one troop of light horse; and before the board of treasury, an account of the expenditure of the money already advanced to him.

The committee on the treasury reported:

“ That there is due to George Gilbert, serjeant in captain Krumrun's company of lieutenant colonel Dean's battalion, who was taken prisoner the 17th September, and for mileage, 21 54 dollars:

To Christian Wirtz, for rations he supplied sundry battalions of militia at Lancaster, on their march to the city, in December and January last, 386.72 dollars:

To captain Daniel Dorsey, of colonel Hall's regiment of Maryland forces, for the subsistence of his company, 930.64 dollars:

That there should be advanced to Robert Jewell, in part payment of his account for the maintenance of state prisoners in the new goal of this city, 1000 dollars:

That a warrant for 133.30 dollars should be drawn on the treasurer in favour of John Ommenseller, for the payment of a light waggon



waggon, which was pressed at Baltimore last winter to bring money to this place, and not returned to him, it being employed in the service of the states, and now remains with the waggon master general in this city :

To the field officers and three others of the 2d battalion of Chester county militia, commanded by colonel Hockley, and to be paid to him for sundry rations as per their account, 37.70 dollars :

To the five M'Donalds, who are prisoners at Reading, for their and their servants allowance, from 12th March to 4th June, 156 dollars."

*Ordered*, That the said accounts and sums be paid.

The board of war brought in a report, which was read :

*Ordered*, To lie on the table.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### S A T U R D A Y, May 31, 1777.

William Ellery and Henry Marchant, esquires, delegates from the state of Rhode-Island and Providence Plantations, attended and produced the credentials of their appointment, which were read, and are as follows :

(L.S.) By the honorable Nicholas Cooke, esq. governor, captain general, commander in chief of and over the state of Rhode-Island, and Providence Plantations. To William Ellery, esq. greeting : whereas by the free vote of the freemen of the said state on the first Wednesday of May instant, you the said William Ellery, was elected a delegate to represent the said state for one year in the general Congress of delegates from the thirteen United States of America, now sitting in Philadelphia, or wherever the same may sit :—I do therefore in the name of the governor and company of the said state, hereby authorize, empower and commissionate you the said William Ellery, in conjunction with the other delegates that are or may be elected delegates of the said state, or separately and alone, in case of the sickness or necessary absence of the other delegates of said state to represent the said state in the said General Congress, and in behalf thereof to join with the delegates from the other states, or the major part of them in all such measures as shall be thought best for promoting the defence and welfare of the said United States, agreeable to the instructions given, or that may be given you by the general assembly. Given under my hand and the seal of the said state, at Providence, this seventh day of May, in the year of our Lord one thousand seven hundred and seventy-seven. Nicholas Cook. By his honour's command, Henry Ward, secretary."

The commission to Henry Marchant was of the same tenor and date.

Congress resumed the consideration of the report on the commissary's department; and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, June 2, 1777.

Nicholas Vandyke, esquire, a delegate from the state of Delaware, attended and took his seat.

Two letters of the 31st May from general Washington, at Middlebrook, with sundry papers inclosed; one of the same date from general Sullivan, at Princeton, to general Arnold; one of the 24th of the same month from General Gates, at Albany, with sundry papers inclosed; one of the 17th of May from general Heath, at Boston, with the proceedings of a court martial on Peter Pickman Fry, a soldier; one of the 15th from Monsieur du Coudray,; and one of the same date from Jeremiah Powel, president of the council of Massachusetts-Bay, with sundry papers inclosed; also a memorial from Archibald Allen, and Ronald M'Donald, at Reading, were read:

*Ordered*, That the letter from J. Powell be referred to the marine committee; and that the other letters, with the papers inclosed, be referred to the board of war.

*Ordered*, That extracts of the intelligence received so far as it respects the enemy's designs against Philadelphia, be transmitted by the delegates of Pennsylvania and Delaware, to the executive power of their respective states:

That the commanding officer at Philadelphia be directed to send a muster master to muster the militia at Bristol, and make a return to Congress.

Congress resumed the consideration of the report on the commissary's department; and after some time spent thereon, and sundry amendments made.

*Resolved*, That the said report be recommitted.

The committee on the treasury reported:

"That there is due to Margaret Holmes, for forty-two meals supplied the militia, 4.18 dollars:

To William Shaw, for his account for thirty powder barrels coopeage, &c. 64.66 dollars:

*Ordered*, That the said accounts be paid.

M. Burke, the delegate attending for North-Carolina, laid before Congress credentials of the appointment of delegates from that state, which were read, as follows:

"State of North-Carolina. To Thomas Burke, John Penn, and Cornelius Harnett, esquires, greeting: whereas the general assembly hath elected you delegates to attend the Congress of the United States: these are therefore to commissionate, authorise and

and impower you the said Thomas Burke, John Penn, and Cornelius Harnet, to attend the said Congress of the United States of America, in behalf of this state, until such time as the general assembly shall direct otherwise; and you are hereby invested with such powers as may make any act done by you, or any of you, or consent given in the said Congress in behalf of this state obligatory on every inhabitant thereof. Witness Richard Caswell, Esq; governor, captain-general, and commander in chief of the said state, under his hand and seal at arms, at Newbern, the 4th day of May, Anno Domini, 1777, and in the first year of the independence of this state. Richard Caswell. By his excellency's command, Js. Glasgow, secretary."

A memorial from Jacob Fauntz was read :

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That a letter be written to the council of Massachusetts-Bay, and to the governor and council of Virginia, acquainting them that Congress have received information that general Lee is treated by general Howe with kindness, generosity and tenderness; and desiring the former to treat colonel Campbell, and the latter to treat the five Hessian officers, with kindness, generosity and tenderness, consistent with the confinement and safe custody of their persons.

*Ordered*, That twenty copies of the volume of journals be delivered to the delegates of each state, for the use of their respective states; and that the remainder of the 700 which Congress have agreed to take, be lodged in the secretary's office, for the use of members.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y, June 3, 1777.

A letter of the 6th February last from Benjamin Franklin and Silas Deane, esquires, and one of the 27th November last from Silas Deane, esq; by Monsieur du Coudray, were read :

*Ordered*, That they be referred to the committee on foreign applications.

A memorial from Joseph Trumbull, esq; was read, setting forth,—“ That he has paid many of the officers who served in Canada the last campaign, their extra rations and back allowances while in Canada, at the rate of one shilling lawful money; and from and after their return to Ticonderoga, to the 17th September, 1776, at the rate of seven-pence halfpenny, like money, per ration; and thought himself justified therein by the direction of Messrs. Clymer and Stockton, the committee for regulating the affairs in the northern department, when at Ticonderoga in



October last : that to his great surprize the commissioners of accounts in that department refused to allow the same in his accounts."

Congress taking the same into consideration, and it appearing from a certificate of major general St. Clair, dated the 15th May, that the commissioners when at Ticonderoga in October last, settled the extra rations due to the officers in the following manner, viz. From the time they left Ticonderoga to go into Canada, until they returned to Crown-Point, at one shilling lawful money, per ration ; from that time to the 17th September following, at seven pence halfpenny, like money ; and afterwards at 8-90ths of a dollar per ration ; and that the commissaries were ordered and did pay accordingly ; thereupon

*Resolved*, That the commissioners for settling accounts in the northern department, be directed to allow and pass the commissary's accounts agreeable to the said settlement.

*Resolved*, That a committee of three be appointed to devise ways and means for supplying the United States with salt :

The members chosen, Mr. J. B. Smith, Mr. Marchant, and Mr. Frost.

Congress resumed the consideration of the last article in the report from the board of war of the 23d May, respecting the rank of officers ; and a new motion on that subject being made,

*Resolved*, That the report with the motion be recommitted :

*Resolved*, That a committee of three be appointed to devise ways and means of supplying the army with shoes, hats and shirts :

The members chosen, Mr. Sherman, Mr. Clark, and Mr. J. B. Smith.

*Resolved*, That the board of war be directed to furnish the supreme executive council of the state of Pennsylvania, with such arms as may be necessary for the use of such of their militia as are now called into service, and which cannot be otherwise supplied ; and that it be strongly recommended to the said council to make use of the most effectual means that the arms so furnished may be returned to the commissary general of military stores, or to one of his deputies.

*Resolved*, That a committee of three be appointed to confer with the board of war of the state of Pennsylvania, and that they be empowered to employ some skilful persons to view the works and defences erected at and near Billingsport, and report their opinion, whether these works ought to be compleated or demolished :

The members chosen, Mr. Duer, Mr. J. Adams, and Mr. Middleton.

The delegates of Pennsylvania laid before Congress a report of the committee of the whole house of assembly of Pennsylvania, with a resolution of the house thereon, which were read :

*Ordered*,



*Ordered*, That the same be taken into consideration on Thursday next.

The committee to whom was recommittd the report on the commissary's department, brought in their report, which was taken into consideration; and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, June 4, 1777.

A letter of the 2d, and one of the 3d, from general Sullivan, at Princeton, were read; also a letter of the 14th April from J. Rutledge, president of the council of South-Carolina, advising "That colonel William Kennon, in consequence of a settlement of his account against the continent, so far as it has been liquidated by him the said J. Rutledge, in pursuance of the resolve of Congress, has drawn ten bills of exchange, all of the date of this letter, from No. 27 to No. 36, both inclusive, for five hundred dollars each, on the continental treasury, in favour of David Flowers." At the same time was presented for payment, one of the said bills, being the first of the set, No. 27; whereupon

*Ordered*, That the said bill be paid.

The committee to whom was referred the memorial of the state of North Carolina, of the 23d December last, together with the papers accompanying the same, brought in a report, which was taken into consideration; whereupon

*Resolved*, That it be recommended to the state of Massachusetts-Bay to order diligent enquiry to be made concerning the matter complained of in the said memorial; and unless the master and owners of the privateer mentioned in the said memorial can shew good and sufficient cause to the contrary, to order full restitution to be made, and the offenders to be punished for the violation of the rights of our fellow citizens, and of the laws of nations; and to report to Congress the proceedings which shall be had in the premises.

A letter of this day from general Mifflin was read, wherein he informs, that "since the last order of Congress for him to remain in Philadelphia, he has received a letter from general Washington, wherein the general expresses an anxious desire to have the heads of the several departments in the field with him;" and therefore desires the further orders of Congress, concluding, "If Congress have no interesting business for him in Philadelphia, he would be glad to have an opportunity of joining the army, agreeable to the general's letter."

*Resolved*, That general Mifflin have leave to repair immediately to head quarters.

*Ordered*, That the letters from general Sullivan be referred to the board of war.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports :

“That there is due to Adam Eichelberger, for victualling sundry troops, and ferriage, 17.63 dollars :

To Frederick Curtis, for victualling sundry troops, 3.42 dollars :

To Thomas Smith sundry necessaries supplied the sick troops of the 5th and 6th Virginia regiments at Wilmington, 181.89 dollars.”

*Ordered*, That the said sums be paid.

Agreeable to the order of the day, Congress resolved itself into a committee of the whole, to take into consideration the state of foreign affairs ; and after some time spent thereon, the president resumed the chair, and Mr. F. L. Lee reported, that the committee have had under consideration the matter referred to them, but not having come to a conclusion desire leave to sit again.

*Resolved*, That Congress to-morrow resolve itself into a committee of the whole, to consider farther the state of foreign affairs.

Whereas general Howe has by offers of reward endeavoured to induce the soldiers of the United States to desert and go over to him ;

*Resolved*, That general Washington be impowered to offer such rewards as he shall judge proper to deserters from the enemy, whether horse or foot, encouraging them by suitable offers to bring with them their arms and horses.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T H U R S D A Y, June 5, 1777.

A letter of the 2d from general Washington, at Middlebrook, inclosing a letter of the 30th May, from general Gates, at Albany, and one of the 27th of the same month from general Poor, at Ticonderoga.

*Ordered*, That the same be referred to the board of war.

The board of war brought in a report, which was taken into consideration ; whereupon,

*Resolved*, That the clause in general Gates's letter relative to money, be referred to the board of treasury :

That the state of the military chest in the northern department, as transmitted by general Gates in his letter of the 24th of last month, be referred to the board of treasury :

That Abraham Rhoads have a pass to go to governor Trumbull, by the way of Easton and Suffex court-house ; and that it be left to governor Trumbull's discretion, whether or not the said A. Rhoads shall be permitted to go to Long-Island, as he requests in his petition to Congress.

*Resolved*, That the farther consideration of the report be postponed.

*Ordered*,

*Ordered*, That R. H. Lee have leave of absence, his health and private affairs requiring his return to Virginia.

*Resolved*, That Mr. Sherman, Mr. Marchant, and Mr. Vandyke, be added to the marine committee.

A letter of the 4th from brigadier general Conway, to the Pennsylvania board of war; also a memorial from J. Mease, were read :

*Ordered*, That they be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### FRIDAY, June 6, 1777.

A letter of the 3d and one of the 5th from general Washington, at Middlebrook, were read :

*Ordered*, That they be referred to the board of war.

Congress resumed the consideration of the report of the board of war of the 29th May last; whereupon

*Resolved*, That Congress approve general Washington's conduct as to the cartel for the exchange of prisoners, and of the reasoning contained in his letter of the 9th May, making no doubt of the facts upon which his arguments are founded being duly ascertained; and that the general be informed it is the opinion of Congress that he strictly adhere to the principles contained in said letter.

*Resolved*, That the deputy judge advocate in the northern army, and the deputy judge advocate of the division of the army now at Peek's Kill, be allowed the rank, pay, and rations of captains.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That general Washington be requested to cause a return to be made of all regimental chaplains already appointed in the army, and transmit the same to Congress :

That a commission be granted to Elias Boudinot, esq; as commissary general of prisoners; the said commission to be dated the 15th day of May last, and Mr. Boudinot to be allowed the pay and rations of a colonel :

That Elias Boudinot, commissary general of prisoners, be empowered to appoint two deputy commissaries of prisoners; the said deputies to be allowed the pay and rations of majors.

A petition from James Mosen, a soldier, was read :

*Ordered*, That it be referred to the board of war.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports :

“That there is due to Robert Patton, for his attendance on Congress as door-keeper, from 20th February to the 4th June, being 104 days, 138.60 dollars :

“To captain Kern's company of colonel Kachlein's battalion of the flying camp, for sundry guns, blankets, pouches, and powder



powder horns, lost on Long Island at Fort Washington, being the property of the soldiers, 613.87 dollars :

“ To Christian Wirtz, for his pay as commissary, and for his rations for one month and one day, 27.18 dollars, he having served the militia on their march with provisions at Lancaster :

“ To the field officers of the 4th battalion of Berks county militia, commanded by lieutenant colonel Conrad Shaeffer, for the balance of pay, 725.15 dollars, to be paid to lieutenant colonel C. Shaeffer :

“ To captain John Patton, of colonel Potter's battalion of Lancaster county militia, for the mileage of his company, and for a difference of pay to those who were advanced from serjeants and privates to officers, serjeants, and corporals, 148.56 dollars.”

*Ordered*, That the said accounts be paid.

A petition from Nicholas George Moeballe, a captain in the service of the seven United States of Holland, was read ; praying Congress to grant him a commission of lieutenant colonel in the service of the United States, or if they do not think fit to grant that request, then to grant him a certificate, setting forth, that he did apply, and offer his service, and that it was not owing to any fault or bad conduct in him that Congress did not think it expedient to employ him.

*Ordered*, That such a certificate be granted to him.

A motion being made respecting prisoners :

*Ordered*, That it be referred to the board of war, who are directed to take under consideration the whole matter of the exchange and treatment of prisoners, and report thereon with all convenient dispatch.

*Resolved*, That the secret committee and the marine committee be and they are hereby directed to lay before Congress, an account of their proceedings, and of the public money by them expended :

That the secret committee, without delay, order the agents by them employed in the different states, to make up and lay their accounts before them ; and that the said agents lodge with the said committee, vouchers for the expenditure of the public money intrusted to their care, distinguishing exactly what commodities have been shipped, with the bills of lading, and what remains on hand, with an account of the places where the same are stored ; and that the said committee lay the same before Congress :

That the marine committee, without delay, order the agents by them employed in the different states, to make up and lay their accounts before them, and that the said committee lay the same before Congress.

*Resolved*, That any five members of the marine committee be impowered to form a board, and proceed to business.

*Ordered*,



*Ordered,* That the committee on departments proceed on the business committed to them, and report as soon as possible.

*Ordered;* That 8000 dollars be advanced to Littlebury Mafon, pay-master of the 15th battalion of Virginia forces, commanded by colonel D. Mafon, for the use of the said battalion :

That a warrant for 200,000 dollars be drawn on John Gibson, esq; in favour of the board of war, to be by them transmitted to the deputy pay-master general, for the use of the northern army.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports :

“ That there is due to Henry Wynkoop, esq; for board and nursing lieutenant Simon Wilmot, of the 16th regiment of queen's light dragoons, who was wounded and taken prisoner at Princeton, 3d January last, for nine weeks and two days, at two dollars a week, 20.51 dollars.”

*Ordered,* That the said account be paid.

The board of treasury reported :

“ That a warrant should be drawn on Michael Hillegas, esq; continental treasurer, for 500,000 dollars, to be paid to John Gibson, esq; auditor general, for which he is to account :

“ That Mr. Govett, the assistant auditor, hath exhibited his account to them against the United States, in which he charges his salary from 29th July to 14th December, 1776, four months and seventeen days, at 200l. per annum, amounting to 202.56 dollars, of which he hath received 200 dollars; and that there was due to him on the 14th December, 2.56 dollars: that he prays a farther allowance from that time, and the board are of opinion he should receive three dollars a day, which, to the 29th April last being 135 days, at three dollars a day, amounts to 405 dollars; the whole amounting to 407.56 dollars.”

*Ordered,* That the said warrant be drawn, and that the above balance of 407.56 dollars be paid to Mr. Govett.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### SATURDAY, June 7, 1777.

*Ordered,* That 400 dollars be paid to captain John Hunter, and charged to the account of W. Palfrey, esq; pay-master general, the same being in full of a bill in his favour drawn by the said W. Palfrey, dated at Morris-Town, 21st May, 1777.

A letter of the 13th May from W. Aylett, at Smithfield; one of this day from Archibald M'Donald; one of the 2d from Henry Fisher and W. Perry, with a muster roll of the independent company raised at Lewis, and a petition from George Hawk, keeper of a ferry on Delaware, opposite to Easton, were read :

*Ordered,* That the letter from A. M'Donald, be referred to the board of treasury that the letter from H. Fisher and W. Perry,

Perry, with the muster roll, be referred to the board of war; and that the petition from George Hawk be referred to the quarter master general, who is directed to settle with the petitioner, or report particularly on his petition.

*Ordered*, That 1160 dollars be advanced to capt. James Lees, for the use of his company of artillery; he to be accountable:

That 14,160 dollars be advanced to colonel John Hawkins Stone, of the 1st battalion of Maryland forces, for the use of his battalion; he to be accountable.

The board of war brought in a report, which was taken into consideration; whereupon,

*Resolved*, That the clothier general furnish each non-commissioned officer and soldier enlisted in the army of the United States, to serve three years, or during the war, with the articles of cloathing enumerated by a resolution of Congress of the 8th October last, or other cloathing of equal value, notwithstanding the same cost more than twenty dollars.

Whereas complaint has been made that many of the regimental pay-masters absent themselves from the army, by which the public service greatly suffers:

*Resolved*, That the commander in chief, and the commanders in the separate departments be directed to take the most effectual means for compelling all regimental pay-masters to attend punctually to the duties of their office, and that such as are negligent be punished and displaced; and that they be respectively impowered to appoint others of ability, diligence, and integrity, in the room of such as are displaced.

*Ordered*, That 1000 dollars be advanced to captain John Steel, one of the four captains named by general Armstrong, by authority of general Washington, for the use of his company; he to be accountable.

A petition from Jacob Green, and others, was read, praying a new hearing on the appeal brought against the judgment in the libel Job Pierce, against the brig Phoenix:

*Ordered*, That it be referred to the committee on appeals.

A petition from Charles Harrifon, and Peter Campbell, was read:

*Ordered*, That it be referred to the board of war.

Congress resumed the consideration of the report on the commissary's department; and sundry amendments being made,

*Resolved*, That it be recommitted.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, June 9, 1777.

A letter of the 5th from general Washington, at Middlebrook, inclosing a letter of the same date from brigadier general Knox; also one of the 8th from the same, and one of the 7th from Joseph

Joseph Reed, esq; wherein he informs, that "the situation of his private affairs, which are much altered since his acquiescence in general Washington's recommendation, the want of time to qualify himself for that line of service, which he intended and has proposed to him, and a diffidence of discharging it with approbation, oblige him to decline the appointment, which the Congress have been pleased to make of him as a brigadier general, for which honour done him he begs leave to express his grateful acknowledgments." Also a letter of the 7th from governor Livingston, with a return of the battalion raised in New-Jersey, for the service of the United States, were read :

*Ordered*, That the letters from general Washington, with the papers inclosed, and the letter from governor Livingston, be referred to the board of war.

*Resolved*, That Mr. Duer be added to the committee of intelligence.

An application from Richard Derby, jun. esq; chairman of the committee of correspondence, inspection, and safety, at Salem, in Massachusetts-Bay, in behalf of Peter Pickman Frye, was read :

*Ordered*, That it be referred to the board of war.

A letter of the 6th from general Washington to R. Morris, esq; inclosing one to Appolos Morris, was read ; whereupon

*Resolved*, That general Arnold be directed to put major Appolos Morris under immediate arrest and confinement, until the further order of Congress.

*Ordered*, That the letter of the 6th from general Washington to R. Morris, esq; with the letter inclosed, be referred to the board of war.

A petition from Francis Armstrong was read, praying an order to the clerks of Messrs. Richard Dallam, Mease, and Caldwell, or any others who may have the books ascertaining the sums paid for the battalion commanded by colonel Potter, to give him the petitioner a duplicate of the said account from the beginning :

*Ordered*, That the prayer of the petition be granted.

A letter of the 6th from governor Johnson, inclosing a petition from George Handy, and others, and a protest from William Pool, was read :

*Ordered*, That it be referred to the marine committee.

A petition from Hughey Con was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That a warrant for 50,000 dollars be drawn on the commissioners of the loan office for the state of Pennsylvania in favour of Matthew Irvin, deputy commissary general, and charged to the account of Joseph Trumbull, commissary general, who is to be accountable.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports :



"That there is due to Major Nicola, two months pay of six companies for the guard of this city, being for May and June, 7488.60 dollars :

"To John Byrn, late a soldier in captain Morgan's company of rifle men, for a rifle belonging to him which was lost at the attack on Quebec, 16.60 dollars :

"To James Leard, for half ferriage of seventy-two men over the Susquehannah, 2.36 dollars :

"To major Vaughan, captain Hazard, and others, their expences as officers of the guard to military stores, from Sinneuxent to Philadelphia, 228.30 dollars.

"To Monsieur Lotbinier a Canadian chaplain, for his pay and rations from 10th March to 10th June, being three months, at 41.30 dollars a month, 124 dollars :

"To the commissioners of claims, for a pair of Venetian blinds, for the use of their office, 32 dollars :

"To Sufannah M'Nutt, for sundry meals supplied the militia on their march to camp, 3.45 dollars :

"To Seth Duncan, for do. 19.39 dollars :

"To Joseph Hutchinson, for do. 2.36 dollars."

*Ordered*, That the said accounts be paid.

"The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, June 10, 1777.

A letter of the 6th from Joseph Trumbull, commissary general; and one of this day from major general Arnold, were read :

*Resolved*, That general Arnold be and he is hereby directed to repair immediately to Trenton, and there conduct himself agreeably to the orders of the commander in chief.

*Resolved*, That it be earnestly recommended to the president and council of the state of Delaware, to give orders to the militia of that state to hold themselves in readiness to march at a moment's warning, and to take measures to call forth into actual service 1500 militia as soon as possible ; and that they order the said militia to rendezvous at or near Wilmington, or Chester.

A petition from William Fields and Matthias Sappenfield, and another from Thomas Rutherford, and sixteen others, prisoners from North Carolina, were read :

*Ordered*, That they be referred to the board of war.

A motion being made that the commissary general, and all other persons intrusted with public money, give bond and security for the faithful performance of their duty, and well and truly to account for the money that shall come into their hands respectively.

*Resolved*, That it be referred to a committee of three :

The members chosen, Mr. Gerry, Mr. Burke, and Mr. Marchant.

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The committee to whom was recommittd the report on the commissary's department, brought in the same amended, which being read, was agreed to, as follows :

*Resolved*, I. That for supplying the army of the United States with provisions, one commissary general and four deputy commissaries general of purchases ; and one commissary general and three deputy commissaries general of issues, be appointed by Congress.

II. That each of the said commissaries and deputy commissaries be authorized to appoint for himself one clerk.

III. That the deputy commissaries general have authority to appoint as many assistant commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the commissaries general respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective deputy commissaries general to appoint others in their stead : that special care be taken by the officers empowered as aforesaid, to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in ; and to make returns to the board of war, the commander in chief, and the commander of the respective department, of the assistant commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismissal, and the post, place, magazine or district to which they are severally assigned ; and that the deputy commissaries general of purchases and issues in the same district make similar returns to each other.

IV. That the commissary general of purchases shall superintend the deputy commissaries general of purchases, and assign to each a separate district, who shall constantly reside therein, and not make any purchases beyond the limits thereof ; and every purchaser employed therein shall also have a certain district assigned him by the respective deputy commissary general, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

V. That the commissary general of purchases shall direct the deputy commissaries general in their respective districts, to inform themselves and assistants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchased, and that neither they nor any of the said assistants employed under their direction, exceed such prices ; and if any deputy commissary general of purchases shall neglect his duty, or be guilty of any

fraud or misconduct in his office, the commissary general may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a deputy commissary general until the sense of Congress shall be known thereon.

VI. That the present commissary general, by himself or his deputies, deliver unto the commissary general of issues, or his deputies or assistants, all and every kind of provisions and other public stores in the commissary general's department, that now are, or at the time when such delivery shall be made may be, in any of the posts, places, magazines and store houses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the board of treasury, that the commissary general of issues may be charged therewith.

VII. That it shall be the duty of the commissary general of purchases, with the assistance of the deputy commissaries general and assistant commissaries of purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed by Congress to the troops of the United States, and deliver the same to the commissary general of issues, or his deputies or assistants, in such quantities, and at such places or magazines as the commander in chief, or the commander in the respective department shall direct.

VIII. That the commissary general of issues shall direct the respective deputy commissaries general to station one of their assistants at every fort, post, place or magazine where provisions are or may be stored.

IX. That the commissary general of purchases shall furnish each of the deputy commissaries general and assistants with a book, in which is to be entered every purchase by them respectively made: and that all the accounts may be kept in the same form, he shall cause the pages of such book to be divided into ten columns, in the first of which shall be entered the year, month and day in which any purchase is made; in the second, the names of the persons from whom; in the third, in what place; in the fourth, the species and quantity of provisions, and if live stock, the number, colour and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh, the amount of the purchase money; in the eighth, ninth and tenth, the weight of the meat, hides and tallow of the live stock as hereafter directed: and the commissary general of issues shall furnish each of the issuing deputy commissaries general and assistants with a similar book, in which shall be entered all provisions received by them from the purchasers respectively, the first column to contain the time of receiving such provision; the second the name of the purchaser; and in each of the other columns the entries before directed.

X. That

X. That each purchaser shall enter, in different pages of the said book, each species of provisions by him purchased, and at the end of every month shall foot and transfer the said entries to a general account, specifying the quantity, amount and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective deputy commissaries general, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity, amount and average cost of each species, as before directed, together with a copy of each purchaser's accounts, to the board of war and commissary general of purchases, within the time limited as aforesaid.

XI. That the purchasing commissaries shall deliver live stock and other provisions required by the commissary or several deputy commissaries general of issues at such place as they shall respectively direct.

XII. That the deputy commissary general of purchases in each district shall specially appoint one or more assistants to purchase live stock, who shall cause to be branded on the horns of all cattle by them purchased, the number and initial letters of their names respectively; and shall also have power to employ drovers, and a person at each place, to which they may respectively be directed to send cattle, to receive, kill, and deliver the same as hereafter directed.

XIII. That each drove of live stock, or quantity of provisions or other stores, that may be sent to any post, place or magazine, by any purchaser, shall be accompanied with duplicate invoices, taken from the entries directed to be made in the books of the purchasing commissaries, one of which, together with the live stock or other stores, shall be delivered at such post, place, or magazine, to the person appointed to receive live stock, or to the issuing commissaries respectively, who, on the other hand, shall give his receipt for the articles received, to be transmitted to the purchaser by the person delivering the said articles; provided that if any live stock, under the care of the drover, shall be wanted at any other post than that to which they were ordered, the purchaser's deputy at such post may detain them, taking a copy of the invoice, as far as it respects the live stock detained, and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers, and the person, to whom the residue may be delivered, shall give his receipt therefor on the same invoice, and detain the other for his use as aforesaid.

XIV. That each drove of live-stock shall be killed under the direction of the purchaser's deputy receiving the same, who shall weigh and deliver the meat to the commissary of issues of the respective post, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth, the weight of the hide;

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in the tenth, the weight of the tallow ; and at the foot of each invoice, the number of heads and tongues : and the commissary of issues shall indorse his receipt on one of the invoices and deliver it to the deputy aforesaid, who shall return it to the purchaser as his voucher, and to enable him to fill up the eighth, ninth and tenth columns of the entries in his book ; and the other shall be kept by the issuing commissary for his own use.

XV. That the commissary general of purchases shall contract by himself, or the respective deputy commissaries general, with one or more persons in each district, to make or supply a sufficient quantity of vinegar for the use of the army.

XVI. That the deputy commissaries general of purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the army ; and they are respectively empowered and directed, with the advice of the commander in chief, or commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted, and cannot be otherwise procured for the army ; and for this purpose to employ suitable persons to conduct, and labourers to assist in carrying on the said business.

XVII. That the commissary general of purchases shall, from time to time, apply to Congress for all the money wanted in his department, and shall make the necessary advances to the respective deputy commissaries general, calling them to account as often as he shall judge it necessary ; and the deputy commissaries general shall, in like manner, make advances of the money received of the said commissary general to their respective assistants, and call them to account as aforesaid.

XVIII. That the commissary and deputy commissaries general of purchases and issues, shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective commissaries general with the proper commissioners of accounts ; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the issuing commissaries shewing the delivery of all articles therein charged ; and each account of issues by the victualling returns hereafter directed to be made, and receipts for all provisions charged therein as rations, or sent by the respective issuing commissary to any other. And the commissaries general shall produce the monthly returns of the several purchasing and issuing commissaries, to be used by the commissioners in adjusting their respective accounts.

XIX. That the commissaries general of purchases and issues, and their respective deputies, for neglect of duty, or other offences in their respective offices, shall be subject to military arrest and trial by order of the commander in chief, or any general officer commanding a division of the army, post or department, where  
such



such neglect of duty or offence may happen ; and the respective assistants of the deputy commissaries general of purchases and issues, shall, for the same causes, be liable to military arrest as commissioned officers in the army, by any general officer, or any officer commanding at a detached post to which such assistants may be assigned.

XX. That the commissary general of issues shall superintend the respective deputy commissaries general, and assign to each a separate district ; and have full powers to suspend them and appoint others for a time, as already appointed for the commissary general of purchases.

XXI. That every issuing commissary shall enter in distinct pages of the book mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other issuing commissaries or the present commissary general, and the same entries shall be made with respect to these, as therein are directed, when provisions are received from the purchasers; excepting that the prices and cost of articles delivered by the said commissaries may be omitted.

XXII. That every issuing commissary shall be furnished with a book of issues, in which he shall open a separate account with each regiment, corps, or detachment to which he may issue, or commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns in the first of which shall be entered the time of delivery ; in the second, the name of the officer, upon whose return provisions are issued, or by whom sent to any other issuing commissary ; in the third, the number of rations, and in other separate columns the several quantities of each species of provisions delivered as rations, or sent to the commissaries as aforesaid. And on the last day of every month, he shall foot the said accounts; and also all the accounts of provisions received and entered in the book mentioned in the preceding article.

XXIII. That every issuing commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer, or person employed to deliver the said provisions or stores ; and the issuing commissary at such post, place, or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the commissary that sent them as his voucher : And in cases of deficiency, the commissary who sent the provisions shall credit the commissary to whom they were directed for the quantity lost, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall

also transmit a copy of the said account to the pay-master or deputy pay-master general in the district, who shall send to the issuing commissary a receipt for such account to be produced by him on settlement, and shall also deduct the amount thereof from the pay of the delinquent, and credit the United States therefor: provided that if any provisions or stores shall be lost by unavoidable accident, and the same is proved by sworn evidences before the commanding officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorise the commissary to cancel such charge.

XXIV. That no provisions be issued to any person but by the written order of the commander in chief, the commander of any department, the quarter-master general, any of his deputies or assistants, the commanding officer of a post, describing the person in whose favour such order shall be given; or upon a return signed by the commanding officer of a corps, or detachment thereof, whether commissioned or non-commissioned, or by the regimental quarter-master.

XXV. That when any troops are ordered to quit a post, and the issuing commissary remains at such post, the respective commanding officers of the several regiments or corps, shall call on the issuing commissary for a certificate, specifying the day to which they were victualled inclusively; and in case detachments of different regiments or corps are made, the commanding officer of such detachments shall procure a certificate from the commissary, in which shall be inserted the days to which the different troops of which his detachment may be composed were victualled, and the next and every subsequent provision return for such detachment shall distinguish the corps out of which it is formed, and the number of each corps, to the end that the commissary may charge each corps with the provision issued to it; and if any commissary at any other post shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced, he shall charge the officer commanding the same, with twenty days provision for the whole number of men under his care, and make return thereof to the pay-master general, or deputy pay-master general in the district, who shall make the proper stoppages, and also to the board of treasury, who shall charge him therefor. Provided, That if such certificates be procured and delivered within thirty days after the first drawing of such provisions without certificate, the commissary general shall cancel the charge, keeping the certificate as a voucher for so doing: Provided also, That notwithstanding such certificate may be produced, if it shall appear that the officer commanding any corps or detachment, has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so over drawn.

XXVI. That

XXVI. That every issuing commissary shall take receipts for the number of rations, and for so much of every species of provisions as he may issue.

XXVII. That every issuing commissary, on the last drawing day preceding the last drawing day of every month, shall victual the troops up to the last day of the month inclusive; and if provisions should be ordered for troops going on detachments, for such time as would run beyond that day, two returns shall be made out, one to the last day of the month inclusive, and one from the first day of the month inclusive to the time ordered.

XXVIII. That every issuing commissary shall number the provision returns, and indorse the same with the date thereof, and the number of men victualled, and put the returns of each detachment or corps on separate files, each to contain the returns of a month for such corps or detachment.

XXIX. That wherever any capital magazine shall be established, the commander in chief or commanding officer of the department shall order store-houses to be built, and a barrack for fifty men, and the same to be inclosed with a stockade.

XXX. That whenever any of the provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the commissary of issues, to whose care such provisions may be committed, shall make return thereof immediately to the deputy commissary general of issues, who is to apply to the commander in chief, or some general officer, to order a court of enquiry, who shall thereupon grant one, and such provisions as may by the court be condemned shall be sold at public vendue, under the direction of the deputy commissary general of issues, public notice being giving of such sale, by advertisements at least ten days before the day of sale, unless the court should determine that the same ought to be sold at an earlier day.

XXXI. That every assistant commissary of issues shall, within six days after the last day of every month, make a return to the deputy commissary general of the district, of all provisions and stores in his magazine or store at the last preceding return; of all provisions by him received in the preceding month; from whom and whence; of what he has issued, specifying the regiment and corps, and the number of rations, and quantity of each species of provisions drawn by the same; and of what remains in store.

XXXII. That each deputy commissary general of issues shall, from the monthly returns of the assistant commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return; what has been received since; the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines, and regiments or corps as aforesaid; one to be sent to the board of war, one to the commander in chief, one to the



commander of the department, one to the commissary general of purchases, and one to the commissary general of issues.

XXXIII. That the commissary general of purchases and commissary general of issues, each in his own department, make a general monthly return to the board of war, the commander in chief, and the commanding officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts and returns, to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing commissaries to the commissary general of musters, or by him to the adjutant general, or by the adjutant general to the board of war, as directed in the regulations of the muster master general's department, passed by Congress the fourth day of April last.

XXXV. That the commissaries general and the respective officers under them, apply to the quarter master general or his respective officers, for waggon, teams and horses wanted in the several districts; and if at any time it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress, or the quarter master general aforesaid.

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the commissary general of purchases, quarter master, director, or clothier general, or the commissary general of military stores, shall previously apply to them or the principal officers under them respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several states to give their purchasers respectively similar directions.

XXXVII. That the commissary general of purchases, from time to time, provide sufficient quantities of salt, and deliver it to the commissary general of issues, or the respective officers under him who are directed to issue to the troops only such quantities, and in such manner as the commander in chief or commander of the respective district shall direct. And the commissary general of issues shall direct the respective deputy commissaries general to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores, and take the proper precautions with respect to all provisions therein deposited.

XXXVIII. And whereas great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively:

*Resolved*, That the parts of a ration be estimated as follows, viz. For the daily allowance of beef, pork or fish, four ninetieths of



of a dollar; of bread or flour, two ninetieths; of pease or beans, one ninetieth; of milk, one ninetieth; of beer, one ninetieth; of rice, one half of a ninetieth; and of soap, one half of a ninetieth; making in the whole ten ninetieths of a dollar for each ration: and that for the future, the quarter master or other person drawing provision for any regiment, corps or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officer respectively, and also the number of each part of a ration due to such regiment, corps or detachment, and deliver the same to the respective issuing commissary, who shall compare it with his books, and finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due shall be paid to the respective pay-master of the regiment, corps or detachment, who shall annex the said abstract to the pay roll, that the pay-master or deputy pay-master general of the district may pay, and he is hereby required to pay such ration abstract to the regimental pay-master, who is directed to pay the respective officers and soldiers, and take their receipts. And when any regiment, corps or detachment, or issuing commissary is ordered to leave a post before the end of the month, the ration abstract, shall be made up to the day of his or their leaving the post, and certified by the commissary as aforesaid.

XXXIX. That the commissary of issues at every post where cattle are killed for the use of the army, appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried, and that the latter is properly rendered, and that both are disposed of as the commissary general of issues, by order of Congress, shall direct.

XL. That the commissary and deputy commissaries general of purchases in each department, and every purchaser employed under them, shall take the oath of fidelity to the United States, and the following oath or affirmation, viz.

*I ———, do solemnly and sincerely swear (or affirm) in the presence of Almighty God, that I will not collude with any person or persons whatever to enhance the price of provisions, or any article of commerce which I shall at any time hereafter be directed to purchase for the use of the United States; and that I will endeavour, by every honest means in my power, to procure the articles which I may be directed to purchase at the most reasonable rates; and that I will not charge the public with any advance on any purchases by me to be made, and that I will in all things conduct myself as becometh a faithful servant of the public.*

XLI. That the commissary and the deputy commissary general of issues in each department, and every issuing commissary employed under them, shall take the said oath of fidelity and the following oath or affirmation, viz.

*I do swear (or affirm) that I will faithfully receive, take the care of, and issue the provisions and other stores committed to my trust, and*

*keep regular accounts and make regular returns, agreeable to the resolutions of Congress, and oftner if thereunto required by any superior officer having right to order returns; and that I will in all things honestly demean myself as a faithful servant of the public.*

*Ordered,* That the committee consider and report to-morrow, what compensation ought to be made to the several officers in the commissary's department for their services:

That to-morrow be assigned for appointing the officers in the commissary's department.

The committee on the treasury reported:

"That a warrant should issue on Joseph Borden, esq; commissioner of the loan office in the state of New-Jersey, in favour of John Gibson, esq; auditor-general for 69,100 dollars; the said J. Gibson to be accountable."

*Ordered,* That a warrant be drawn accordingly.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

"That there is due to captain Garland, and other officers, for their expences, being a second division as officers of a guard with military stores from Sinepuxent to Philadelphia, 120.51 dollars:

To lieutenant colonel Eleazer Oswald, for his pay from the 1st September, 1775, to the 1st January, 1777; as also for two months extra pay for clothing allowed in Canada, 18 months, at 40 dollars a month, 720 dollars; and for 1825 rations, at 10.90ths of a dollar, 202.70 dollars, the whole amounting to 922.70 dollars.

*Ordered,* That the said accounts be paid.

*Ordered,* That a warrant for 5000 dollars be drawn on John Gibson, esq; in favour of William Henderson, pay-master of colonel Moylan's regiment of light horse, for the use of the said regiment; the pay-master to be accountable.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved,* That general Washington be directed to inform general Howe, that this Congress most sincerely lament the necessity to which they are driven by the cruel policy of their enemies, of entering into any resolutions which have any appearance of severity towards those prisoners of war who have fallen or may fall into our hands; but that there is no other means in our power of inducing our enemies to respect the rights of humanity; that with this view only it is their determined resolution to carry into execution the law of retaliation: that if any persons belonging to or employed in the service of the United States, or any of them, who now are, or hereafter may be, prisoners to lord or general Howe, or any other commander of his Britannic majesty's forces by sea or land, shall be sent to the realm of Great-Britain, or any part of the dominions of the said king, to be there confined in common goals of great Britain, or any other place or places of confinement, in pursuance of any act or acts of the British parliament,

or any other pretence whatever; it is the resolution of this Congress, to treat the prisoners now in our power, and such as hereafter may fall into our hands, in a manner as nearly similar as our circumstances will admit.

*Ordered*, That an extract of governor Caswell's letter of the 20th April, be transmitted to general Washington, with a recommendation, provided the general has not already appointed commanding officers to complete the sixteen additional battalions; that colonel Abraham Sheppard, of North Carolina, be appointed to the command of one of the said additional battalions.

*Resolved*, That general Washington be informed, that that clause of the resolution of the 30th May last, "the rank of each class of the said officers to be settled by the date of their commissions from the king of France," intended only their relative rank among one another; but that their commissions in the American army, be dated by general Washington, on the day when they shall be filled.

The committee appointed to confer with the Pennsylvania board of war, brought in a report:

*Ordered*, That it be taken into consideration to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, *June 11, 1777.*

Congress took into consideration the report of the committee appointed to confer with the Pennsylvania board of war, &c. whereupon

*Resolved*, That governor Livingston be requested forwith to order out 500 of the militia of the state of New-Jersey, to assist in compleating the works now erecting at Billingsport, for the defence of the river Delaware; it being of the utmost consequence that the fortifications at that place be compleated without delay.

*Resolved*, That the report of the committee appointed by the Pennsylvania board of war, and the committee of Congress, to view the works erected for the defence of the river Delaware, together with the resolution for calling out 500 of the New-Jersey militia, be communicated to the president and supreme executive council of the state of Pennsylvania; and that it be earnestly recommended to them, in conjunction with general Mifflin and Monsieur du Coudray, to carry into execution the most effectual measures for defending the river Delaware.

*Resolved*, That the continental navy board, or board of assistants to the marine committee, be empowered to direct the commanders of the several continental ships, galleys, and other armed vessels, now in the Delaware, to co-operate with the naval force of Pennsylvania in defending the several passes thereof, should the enemy make any attempt thereon.

*Resolved*,



*Resolved*, That the commanders of the said ships, gallics, and armed vessels, obey the orders and instructions of the said board; and that it be recommended to them to exert their utmost abilities in opposing the enemy's ships that may attempt passing up the said river.

*Ordered*, That 20,000 dollars be advanced to Benjamin Flower, commissary general of military stores, for the public service; he to be accountable:

That 5000 dollars be advanced to David Hall, colonel of the Delaware battalion, for the use thereof; he to be accountable.

*Resolved*, That the commissary general of purchases, shall keep his office in the place where Congress shall sit, and that he or his clerk constantly attend therein.

*Ordered*, That 1000 dollars be advanced to John Wilkins, one of the four captains nominated by general Armstrong, in pursuance of authority to him given by general Washington, for the use of his company; he to be accountable.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

“That there is due to Hugh Con, to be paid to John Benezet, esq; for boarding and nursing two sick soldiers, 22 dollars:”

“To Jacob Miller, for 118 meals supplied the troops on their march, 15.66 dollars.”

*Ordered*, That the said accounts be paid.

The committee on the treasury, and committee appointed to devise ways and means for defraying the expence of the current year, brought in a report.

The committee on the treasury brought in another report.

The committee on the ways and means of procuring salt, brought in a report.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, June 12, 1777.

*Ordered*, That 1000 dollars be advanced to lieutenant colonel John Nevil, for the use of the twelfth virginia regiment; he to be accountable.

Mr. Serjeant laid before Congress, a letter from Gunning Bedford, dated City Tavern, Wednesday, 1-2 after 8 o'clock, containing a challenge for words spoken by Mr. Serjeant in the course of debate in Congress together with his answer, and Mr. Bedford's reply, which were read:

Sundry resolutions being moved and debated, the decision thereof, at the request of a state, was postponed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY,



FRIDAY, June 13, 1777.

A letter of this day from general Arnold, and one of the same date from colonel G. Morgan, with sundry papers inclosed, were read:

*Ordered*, That the letter from colonel Morgan, with the papers inclosed, be referred to the committee on Indian affairs.

*Ordered*, That a warrant for 100,000 dollars, be drawn on Thomas Smith, Esq; commissioner of the loan office in the state of Pennsylvania, in favour of general Mifflin, quarter master general; for which he is to be accountable.

Congress resumed the consideration of the letters laid before them by the delegate of New-Jersey; whereupon

*Resolved*, That Congress have, and always had, authority to protect their members from insult for any thing by them said or done in Congress, in the exercise of their duty, which is a privilege essential to the freedom of debate, and to the faithful discharge of the great trust reposed in them by their constituents.

*Resolved*, That Mr. Gunning Bedford be served with a copy of the said letters, and that he be summoned to attend Congress to-morrow morning, to answer for his conduct.

*Ordered*, That 2600 dollars be advanced to general Arnold on account.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports:

“That there is due to Abraham Berlin, chairman of the committee of Northampton county, for the amount of his account of sundry supplies to the continental troops and militia, on their way to and from head quarters, in New-Jersey, 518.25 dollars; for the amount of his account of sundries supplied the Indians, by order of the commissioners, at the conference held at Easton, 1410.48 dollars; and for an allowance made him for his trouble, expence, and advancing the above sum, 96.39 dollars, amounting in the whole to 2025.22 dollars:

“To John Arnell, late a soldier, for his blanket, his property, lost in the engagement at Trenton, and to be paid to captain M'Dowell, 6.65 dollars.”

*Ordered*, That the said accounts be paid.

Congress took into consideration the report of the committee on the ways and means of procuring salt; whereupon

*Resolved*, That it be recommended to the several states to offer such liberal encouragement to persons importing salt for the use of the said states, as they shall judge will be effectual:

That it be recommended to each state to employ one or more vessels for the importation of salt into their respective states, for their own more immediate benefit, and at the public charge of the said state:

That the agents for the United States in Europe and the West-Indies, be directed and enabled by the secret committee, to effect the

the importation of salt into these states on account of the United States, by all vessels bound to America, subject to such regulations and restrictions as the secret committee may direct :

That it be an instruction to all masters of vessels taking on board cargoes for America, on account of the United States, if possible, to ballast the vessels with salt, unless otherwise specially ordered :

That it be recommended to the several states to erect and encourage, in the most liberal and effectual manner, proper works for the making of salt.

A deposition of Samson Lutes, and one of Thomas Jordan, were read :

*Ordered*, That they be referred to the committee on Indian affairs.

Mr. Paca laid before Congress a letter from colonel Hall, of the Maryland forces, dated Rocky-Hill, June 11, which was read :

*Ordered*, That it be referred to the board of war.

The committee on the treasury reported :

“ That by the terms of the treaty held at Johnstown, the 18th January, 1776, between major general Schuyler, in behalf of the United States, and Sir John Johnson, and the Scotch inhabitants of Tryon county, Archibald M'Donnel, Allan M'Donnel, Alexander M'Donnel, Reynold M'Donnel, and Allan M'Donnel, jun. who surrendered themselves prisoners of war, were encouraged to expect to be supported by the United States in the rank of gentlemen during their confinement, and the ordinary allowance to prisoners of two dollars a week being incompetent for that purpose, that there be allowed to the said prisoners respectively, after the rate of 3.69 dollars per week, for their subsistence, from the time of their confinement; and the farther sum of 73 1-3 dollars, for necessary expences incurred by them in their attendance upon Congress, by leave of general Schuyler, to solicit a farther allowance, the difference of subsistence and expence both amounting to 678.60 dollars

That they have taken into consideration the memorial of Robert Erwin, waggon master, referred to them by Congress, and are of opinion, that his account for pay, clerks wages, &c. &c. from 12th July, 1775, to the 19th May, 1777, is just and reasonable, and that a warrant should issue in his favour for the sum of 1350 dollars, the amount of his account.”

*Resolved*, That Congress agree to the said report.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, June 14, 1777.

*Ordered*, That a warrant for 5000 dollars be drawn on the commissioner of the loan office in the state of Rhode-Island, in favour of Mr. John Murray, assignee of David Flowers, and charged

charged to the account of colonel William Kennon, the same being in full of three bills, No 5, 7, 12, drawn by him agreeable to letters of advice from John Rutledge, Esq; president of South Carolina, dated Charlestown, 14th April, 1777 :

That another warrant for 14,000 dollars be drawn on the said commissioner, in favour of the said J. Murray, and charged to the account of Joseph Trumbull, esq; commissary general, the same being in full of his draught in favor of the said J. Murray, dated Middlebrook, 9th June, 1777, agreeable to his letter of advice of the said date.

A letter of the 20th May, from Amos Throop, at Providence, was read :

*Ordered*, That it be referred to the marine committee.

*Ordered*, That 300 dollars be advanced to Captain John Steel, 450 dollars to captain Matthew Irwin, and 500 dollars to captain Samuel Kearsley, for the use of their respective independent companies ; they respectively to be accountable.

*Resolved*, That the marine committee be impowered to give such directions respecting the continental ships of war in the river Delaware, as they think proper, in case the enemy succeed in their attempts on the said river.

*Resolved*, That the flag of the thirteen United States be thirteen stripes, alternate red and white : that the union be thirteen stars, white in a blue field, representing a new constellation.

The council of Massachusetts Bay having represented by letter to the president of Congress, that captain John Roach, some time since appointed to command the continental ship of war the Ranger, is a person of doubtful character, and ought not to be entrusted with such a command ; therefore,

*Resolved*, That captain Roach be suspended, until the navy board for the eastern department shall have enquired fully into his character, and report thereon to the marine committee.

*Resolved*, That captain John Paul Jones be appointed to command the said ship Ranger.

*Resolved*, That William Whipple, esq; member of Congress, and of the marine committee ; John Langdon, esq; continental agent ; and the said captain John Paul Jones, be authorised to appoint the lieutenant, and other commissioned and warrant officers necessary for the said ship ; and that blank commissions and warrants be sent them, to be filled up with the names of the persons they appoint, returns whereof to be made to the navy board in the eastern department.

Whereas the state of New-York, long the seat of the present unprovoked war, and a principal object of the vengeance of our implacable enemies, hath been, among other calamities, for a considerable time deprived of her sea-ports, and of all the advantages and supplies of European and West-India commodities, which other states derive from commerce ; and it being



represented that the inhabitants of the said state are more immediately distressed for want of salt, which, though a necessary article of life, they have no prospect of procuring without the interposition of Congress; and it being the duty of Congress, as well as the respective United States, to alleviate as far as may be in their power the distresses brought down upon any branch of the confederacy, on account of its vigorous opposition to the common enemy, and its virtuous struggles in the great and glorious cause in which all are equally engaged; and the inhabitants of the state of New-York having persevered amidst the severest trials and losses with vigour and fortitude in the defence of the liberties of America:

*Resolved* therefore, That it be recommended to the executive powers or legislatures of the respective states, to encourage and facilitate the supplying the inhabitants of New York, while they shall continue to be deprived of the benefit of importation, with salt and other European and West-India commodities, of which they may stand in need.

*Resolved*, That the secret committee be directed to sell to the council of safety, or delegates of the state of New-York, a cargo of about 2000 bushels of salt, imported by Congress, and now in store at Plymouth, in the Massachusetts Bay: and that the commissary general be directed, if it can be done without prejudice to the public interest, to exchange for the said cargo of salt, an equal quantity nearer to the state of New-York, that the distress of its inhabitants in that respect may be more immediately relieved.

In obedience to the summons with which Mr. Gunning Bedford was served, he attended, and being called in, acknowledged that the copies of the letters with which he was served, were true copies of the letters he wrote to and received from Mr. Sergeant; and having spoken in justification of his conduct, he was ordered to withdraw.

*Resolved*, That Mr. Gunning Bedford has been guilty of a high breach of the privileges of this house, in sending a challenge to one of its members for words spoken by him in this house, in the course of debate.

*Ordered*, That Mr. Gunning Bedford immediately attend at the bar of this house, and that the president inform him, that it is expected he will ask pardon of the house, and of the member challenged.

Mr. Bedford being called in, the resolution of Congress was read to him; and having asked pardon of the house and of the member,

*Ordered*, That he be dismissed.

*Resolved*, That major general Arnold be authorised to take upon him the command of all the militia now at Bristol, and on every other part of the river to the eastward of Philadelphia, which



which have been called forth into service by a requisition of the 24th day of April last ; and that he be authorised to dispose of himself, and the troops under his command, in such a manner as he shall deem best adapted to promote the public service.

*Ordered*, That a copy of the foregoing resolution be sent to the president and supreme executive council of the state of Pennsylvania for their concurrence.

*Ordered*, That 1600 dollars be advanced to Jeremiah Butler, armorer, for the public service ; he to be accountable.

The committee on appeals, to whom was referred the petition from Jacob Green, and others, brought in a report ; whereupon

*Resolved*, That the prayer of the petition be granted, and a new hearing awarded on the appeal brought against the judgment of the court of admiralty in the libel " Job Pierce, against the brig Phoenix," unless the appellants can shew that notice was duly given of the appeal : that for this end the petitioner serve the appellant with a copy of this resolve, and with notice of the time, when he shall make further application to the committee appointed by Congress to hear and determine appeals, for a new day to be assigned for the said hearing.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

#### M O N D A Y, June 16, 1777.

A letter of the 13th, 14th, and 15th, from general Washington, at Middlebrook, with copies of letters that passed between him and lord Cornwallis, and general Howe ; one of the 8th and 9th from general Schuyler, at Albany, with sundry papers inclosed ; and a letter and memorial from Appolos Morris, were read :

*Ordered*, That the letters of general Washington, lord Cornwallis, and general Howe, be published :

That the letter from general Washington, and general Schuyler, with the papers inclosed, be referred to the board of war.

That the letter and memorial from Appolos Morris, be referred to a committee of three, and that they be directed to take into consideration general Washington's letters, so far as they relate to the said Mr. Morris.

The members chosen, Mr. R. Morris, Mr. Duer, and Mr. Sherman.

*Ordered*, That brigadier general de Haas repair immediately to general Washington's head quarters.

A letter from brigadier Conway, and a memorial from Monsieur de la Balme, were read :

*Ordered*, That they be referred to the committee on foreign applications.

The delegates of Virginia laid before Congress, a letter from governor Henry, which was read :

*Ordered*, That it be referred to the board of war.

A letter of this day from Thomas Wharton, president of the supreme executive council of Pennsylvania, was read :

*Ordered*, That it be referred to the board of treasury.

A memorial from Monsieur du Coudray was read :

*Ordered*, That it be referred to the committee on foreign applications, who are directed to confer with Monsieur du Coudray.

The committee appointed to consider what compensation should be made to officers in the commissary's department, brought in a report ; whereupon.

*Resolved*, That the pay and allowance to the commissaries general, deputy commissaries general, assistants, and persons employed under them, be as follows, viz.

To the commissary general of purchases, eight dollars and six rations a day :

To the deputy commissaries general of purchases, each five dollars and four rations a day :

To the assistant commissaries of purchases, each four dollars per day :

To the commissary general of issues, 150 dollars a month and six rations a day :

To the deputy commissaries general of issues, each 75 dollars a month and four rations a day :

To the assistant commissaries of issues, each 40 dollars a month and two rations a day :

To the clerks of the commissaries general and deputy commissaries general, each 35 dollars a month and two rations a day :

To such deputies as purchasers of live stock are impowered to employ for receiving the same at the several posts, each 27 dollars a month and two rations a day, whilst in such service.

*Resolved*, That the commissary general of purchases be impowered to regulate the pay of drovers and butchers, and transmit such regulations to Congress :

That the commissary general of issues, in like manner, be impowered to regulate and transmit to Congress the pay of coopers, packers, and other persons he may find necessary to be employed in such kind of services.

*Resolved*, That Wednesday next be assigned to consider the report from the committee on the treasury, and the committee appointed to devise ways and means for defraying the expence of the current year.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y, June 17, 1777.

A letter of the 8th May from brigadier general R. Howe, at Charlestown, with the copy of the proceedings of a court martial;  
and

and one of the 13th April from J Rutledge, president of South-Carolina with sundry papers inclosed, were read :

*Ordered*, That the letter from brigadier general Howe be referred to the board of war : that the letter from J. Rutledge, esq; be referred to the board of treasury.

*Ordered*, That the sum of 31,590 dollars be passed in the treasury books to the credit of the state of South-Carolina, and charged to the account of William Kennon, the same being in full of a bill No. 1, drawn at Charlestown, April 14, 1777, by the said William Kennon, in favour of John Rutledge, esq; president of South-Carolina, for the use of the said state.

In consequence of an adjustment by the commissioners of accounts, the auditor general reports :

“ That there is due to colonel David Mase, of the 15th Virginia regiment, for a pair of button moulds which he procured for the use of the said regiment, 16.60 dollars.”

The committee on the treasury also reported :

“ That there should be advanced to Andrew Bryan, lieutenant in captain Nathaniel Mitchell's company, of colonel William Grayson's regiment, and charged to the said regiment, 800 dollars.”

*Ordered*, That the said sums be paid.

A petition from Paul Hussy, late commander of the schooner Rosanna, in behalf of John Brown, owner of the said schooner, with her tackle, apparel, furniture and cargo, seized and taken, as prize by the schooner Priscilla, commanded by Yelverton Fowkes, was read :

*Ordered*, That it be referred to the committee on appeals.

The committee appointed to consider what honors are due to the memory of general Wooster, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That a monument be erected to the memory of general Wooster, with the following inscription :

“ In honor of David Wooster, brigadier general in the army of the United States. In defending the liberties of America, and bravely repelling an inroad of the British forces to Danbury, in Connecticut, he received a mortal wound on the 27th day of April, 1777, and died on the 2d day of May following. The Congress of the United States, as an acknowledgment of his merit and services, have caused this monument to be erected.”

*Resolved*, That the executive power of the state of Connecticut be requested to carry the foregoing resolution into execution ; and that 500 dollars be allowed for that purpose.

The board of war brought in a report, whereupon Congress came to the following resolutions :

Whereas James Mease, esq; clothier general, has by his memorial set forth, “ That he is very much embarrassed and perplexed in the conducting of his department by the occasional interference of particular states, who frequently, by virtue of their

votes or resolves, take and appropriate the public clothing and necessaries either imported or purchased on account of the continent, on its passage through their respective states, which has occasioned much disappointment, and will, if not put a stop to, introduce the greatest disorder and confusion in his department, and will render it impossible for him to cause an equal distribution amongst the troops of these states." Therefore,

*Resolved*, That the several continental agents in the different states, be directed to deliver out no clothing imported or purchased on account of the continent, but to the express order of the clothier general, or his agents; and that they be directed to transmit to the clothier general, an account of all clothing that may be imported as expeditiously as possible after its arrival; and that a copy of this resolution be sent to the several states.

*Resolved*, That the petition of Charles Harrison and Peter Campbell, prisoners from the state of New-Jersey, be referred to the governor and council of that state.

*Resolved*, That the commissary general of clothing be directed to supply the army with a sufficient number of combs.

*Resolved*, That Mr. Joseph Nourse be appointed deputy secretary to the board of war, with a salary of 7<sup>50</sup> dollars per annum, to commence from the 10th day of May last.

*Resolved*, That colonel Hall, of the 4th Maryland regiment, be furnished out of the continental store with as much clothing as the men of the late captain Yates's company want to supply their present necessities; the same to be deducted out of their pay, and for that purpose an account thereof to be rendered by the clothier general to the paymaster of the said regiment.

A letter from governor Johnson, of Maryland, with sundry accounts, relative to the militia of that state, who were called into service last winter, was read.

*Ordered*, That the same be referred to the board of treasury.

*Ordered*, That a warrant for 50,000 dollars be drawn on the commissioner of the loan office in the state of Massachusetts Bay, in favour of James Mease, esq; clothier general, or order, for the public service, he to be accountable.

That a warrant for 100,000 dollars be drawn on the commissioner of the loan office for the state of New-Hampshire, in favor of the state of New-Hampshire, for the use thereof, the said state to be accountable:

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That the battalion directed by the state of North-Carolina, to be raised under the command of col. Abraham Sheppard, be admitted on the continental establishment, and considered one of the sixteen battalions, which general Washington was empowered to raise and commission; the several stipulations and conditions by the said state provided, relative to the said battalion



battalion being observed; and that the said col. Sheppard be ordered as soon as 300 rank and file shall be enlisted into his said battalion, if within the time by the state of North-Carolina stipulated, to join general Washington with all possible expedition, leaving proper officers to recruit:

That the appointment of Mr. Winslow, by general Gates, as captain of artillery, be approved and confirmed by Congress:

That Congress approve of general Schuyler's annexing major Nicholson's corps to col. Livingston's regiment:

That the clothier general be directed to send 500 blankets to general Schuyler, as soon as the service here will admit of it:

That the pay of a secretary to a brigadier general in a separate command be 50 dollars a month, during such command:

That the pay of the secretary to the commander in chief in the northern department be 60 dollars a month.

The committee on the treasury to whom was referred the letter from the president of Pennsylvania, brought in a report; whereupon

*Ordered*, That there be advanced to the president and the supreme executive council of the state of Pennsylvania, on their application for that purpose, 50,000 dollars, for which the said state is to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

### WEDNESDAY, June 18, 1777.

A letter from Joseph Thornburgh, waggon master general, dated camp at Middlebrook, June 16, and directed to general Mifflin, was read.

*Ordered*, That it be referred to the board of war.

*Resolved*, That Joseph Thornburgh, waggon-master general, have the rank of lieutenant colonel in the army of the United States.

A petition from Elijah Clark, Richard Wescot, and others, was read:

*Ordered*, That it be referred to the marine committee.

A memorial from Henry Haller was read:

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was read; whereupon

*Resolved*, That as several mitigating circumstances appear in favor of Thomas M'Cann, condemned by a general court martial, held at Charlestown, South-Carolina, to be shot for desertion, general Howe, commanding the continental forces in South-Carolina, be impowered to grant a free pardon to the criminal, if he shall think such a step conducive to the good of the service and the public welfare, or order execution, if he think proper:

That

That a general officer commanding in a separate department be empowered to grant pardons to, or order execution of persons condemned to suffer death by general courts-martial, without being obliged to report the matter to Congress or the commander in chief.

*Resolved*, That the petition of Thomas Rutherford, and the other prisoners from North-Carolina, now on parole at Fredericktown, be referred to the governor and council of the state of Maryland, who are requested to allow them such limits and give such orders concerning their support and government as they shall think proper agreeable to the resolution of Congress, during their continuance in that state.

Congress proceeded to the election of commissaries and deputy commissaries general of purchases and issues; the nomination having been previously made, and the ballots being taken, the following gentlemen were elected, viz.

Joseph Trumbull, esq; commissary general of purchases; William Aylett, William Buchanan, Jacob Cuyler, and Jeremiah Wadsworth, esqrs; deputy commissaries general of purchases.

Charles Stewart, esq; commissary general of issues.

William Green Mumford, Matthew Irwine, and Elisha Avery, esqrs; deputy commissaries general of issues.

A letter of the 1st, from Thomas Chase, deputy quartermaster at Boston, to general Mifflin, was laid before Congress and read.

*Ordered*, That it be referred to the board of treasury, and that they confer with general Mifflin, and report such regulations respecting purchases in the quartermaster's department as they think proper; that they also confer with the clothier general, and such other persons as are employed in making purchases for the continent, and report thereon.

The committee on Indian affairs, to whom were referred the letters and papers from col. Morgan, brought in a report, which was taken into consideration; whereupon

*Resolved*, That the treaty proposed by col Morgan, be held at fort Pitt:

That the commissary general be directed to supply col. George Morgan with five hundred bushels of salt, to be forwarded to fort Pitt, for curing the provisions directed by Congress to be stored there:

That the letter from col. Morgan and the several papers inclosed therein be referred to the board of treasury.

The committee on the treasury reported:

“That there should be advanced to ensign Reynal Hillery, of the fourth company of the first battalion of Maryland continental forces, commanded by col. John Hawkins Stone, to be paid to William Paca, esq; and charged to the said battalion, 30 dollars.”

In

In consequence of an adjustment by the commissioners of accounts, the auditor general reports ;

“ That there is due to Robert Jewel, for his account of subsistence of prisoners in the new gaol, his and his two assistants allowance, pump mending, wood, candles, &c. from the 11th April to June 6th, 1338.58 dollars :

To Christian Farrer, for ferriage of troops over Susquehannah, 16.39 dollars :

To capt. James Scott, of the Virginia militia, a balance of his account for pay and subsistence of his company 179 dollars, to be paid to Mr. Kimber Barton :

To Michael Mearing, for 89 meals, he supplied the troops on their march to head quarters, 11.78 dollars :

To Margaret Massey, for sundries she supplied two sick men in the hospital, 22 dollars :

To Casper Snevely, and to be paid to Philip Marsteller, for the pay of three men of his company, who were not included in the pay roll formerly settled, 38 dollars :

To John Groth for a rifle, lost at fort Washington, 16 dollars, to be paid to Philip Marsteller :

To Adam Orth, and to be paid to Philip Marsteller, for 85 meals supplied the militia on their march, 8.45 dollars :

To Stephen Paschall, for superintending the printing and rolling prels, 52 dollars.”

*Ordered,* That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, June 19, 1777.

A letter of the 18th from general Arnold, at Coryell's ferry, inclosing a letter from general Washington, was read.

A petition from Josiah Hewes, in behalf of Mr. Nicholas Brown, merchant, of Providence, owner of the sloop Lydia, was read ; setting forth, that the said sloop was taken by a British man of war, and afterwards taken up adrift by capt. John Baldwin, in the schooner Wasp, and carried into Chingoteague inlet, where she was condemned and sold before it came to the knowledge of Mr. Brown ; and therefore praying “ That right and justice may be done to the owner, and a proportion of the value of the said vessel and cargo delivered to him.”

*Ordered,* That the said petition be referred to the marine committee ; and that they enquire into the facts and do therein what they judge right ; that in case the facts set forth are found true, they be instructed to relinquish to the owner such share of the money arising from the sale of the said vessel and cargo as hath been adjudged to the continent.

A petition from Simeon Gore was read.

*Ordered*, That it be referred to the executive power of Pennsylvania.

*Resolved*, That the report from the committee of the treasury, and the committee appointed to devise ways for defraying the expences of the current year, be referred to a committee of the whole Congress.

Congress then resolved itself into a committee of the whole, to take into consideration the reports referred to them; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had the same under consideration, but not having had time to go through, desired leave to sit again;

*Resolved*, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the reports of the committee on the treasury and the committee of ways and means.

The committee on the treasury, to whom was referred the letter from colonel Thomas Chase, deputy quarter-master general, reported, "That they have conferred with general Mifflin thereupon, and that the general informs the committee, that the army still continues to be in want of tents, and that all he has a prospect of purchasing to the eastward will not be more than sufficient for the service; and therefore they are of opinion, that a warrant should be drawn on the commissioner of the loan office, in the state of Massachusetts-Bay, in favor of col. Thomas Chase, deputy quarter-master general, for 50,000 dollars, to be charged to general Mifflin, quarter-master general: and for which he is to be accountable.

They farther report, That there should be advanced to capt. Jonathan Langdon, of the 12th Virginia regiment, commanded by col. James Wood, 100 dollars, to be charged to the said regiment, and accounted for with the paymaster general."

*Ordered*, That warrants be drawn accordingly.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, June 20, 1777.

Two letters of the 18th from Joseph Trumbull, esq; commissary general, and one of the 11th from col. Spotswood, were read.

*Ordered*, That the letters from Mr. Trumbull be referred to the board of treasury, and the letter from col. Spotswood to the board of war.

The delegates from Pennsylvania laid before Congress sundry resolutions, passed in the general assembly of the said state; which were read as follows:

"In general assembly, for the state of Pennsylvania, Tuesday 10th June, 1777. The house resumed the consideration of the report of the committee, respecting the assignment of the troops of this state to the Congress; and it was thereupon *Resolved*,  
That



That this house do heartily concur with his excellency the president and council, that it will be expedient to transfer to the honorable the continental Congress the Pennsylvania state regiment, commanded by col. Bull, the regiment of artillery, commanded by col. Proctor, and capt. Pugh's company, raised for the purpose of guarding the powder mills. That his excellency the president and council be, and they are hereby authorized and empowered, to negotiate and settle the said transfer or assignment with the Congress, on such terms and conditions as to them shall seem most proper, so as to have the said troops credited to the quota of men to be furnished by this state; and also that it be recommended to them to procure capt. Weaver's company, raised at Lancaster, for the use of the United States, to be placed to the credit of the same account.

Extract from the minutes, John Morris, jun. clerk of Assembly."

"In council, Wednesday, June 18, 1777. The foregoing resolve of the general assembly being laid before the council; thereupon, *Ordered*, That a copy of the said resolve be delivered to the delegates of this state in Congress, and that they be requested to transact this business with Congress, in the way they shall think most proper. Extract from the minutes. T. Matlack, secretary."

*Ordered*, That the same be referred to the board of war, and the delegates from Pennsylvania.

A letter of the 19th, from T. Wharton, president of the state of Pennsylvania, was read, wherein "agreeable to a resolution of the general assembly of the said state, passed the 19th; and at the request of the council, he requests Congress to lend to the state of Pennsylvania the additional sum of fifty thousand dollars, to be repaid in a very short time." Whereupon,

*Resolved*, That 50,000 dollars be advanced to the state of Pennsylvania; the said state to be accountable.

The board of war report; "That they have taken into consideration the case of Peter Pickman Frye, a soldier in the Massachusetts's regiment, now under sentence of death for deserting, with an intention to go over to the enemy, and have perused and considered a certificate of the committee of correspondence, inspection and safety, at Salem, in the said state, wherein the said committee set forth, "That the said Frye is a person, who they think from their knowledge of him, is not possessed of a common share of understanding, and that he is really incapable of committing a crime, maliciously and with design, deserving so severe a punishment as that to which he is now sentenced," and that therefore they are of opinion, That however base the crime of desertion may be, and more especially when blackened by an intention to assist our inveterate and cruel enemies; yet if it be true, that the person now condemned for the commission of this

crime is in the state of idiocy or insanity, the articles of war, in this case made, can have no operation as to him." Whereupon *Resolved*, That general Heath be directed to enquire into the fact set forth by the committee, who no doubt, certify the matter as it appears to them, and if he shall find the culprit of unsound mind, or incapable from natural defect of understanding to judge of what is right or wrong, that a free pardon be granted him for this reason only, and by no means on account of friends or connexions, who should never be considered when public justice demands vicious men to suffer. Congress consider simple desertion as a crime the most atrocious and detestable, but when coupled with an intention to desert to the enemy, the offence becomes doubly heinous and wicked, the person committing it being guilty of both perjury and treason; therefore that it be recommended to general Heath, to be cautious in his enquiries into the circumstances of the present case, and if he be not fully satisfied, as to the said Peter Pickman Frye's incapacity, that he be empowered and directed to order immediate execution.

*Resolved*, That the petition of William Fields, and Matthias Sopenfield, and of John Smith, and James McDonald be referred to the government of North-Carolina, who are requested to take such measures therein as they shall think proper.

Congress took into consideration the report of the board of war of the 21st of April last; whereupon

*Resolved*, That a corps of invalids be formed, consisting of eight companies, each company to have one captain, two lieutenants, two ensigns, five serjeants, six corporals, two drummers, two fifiers, and one hundred men. This corps to be employed in garrison, and for guards in cities and other places, where magazines or arsenals, or hospitals are placed; as also to serve as a military school for young gentlemen, previous to their being appointed to marching regiments: for which purpose, all the subaltern officers, when off duty, shall be obliged to attend a mathematical school, appointed for the purpose, to learn geometry, arithmetic, vulgar and decimal fractions, and the extraction of roots; and that the officers of this corps shall be obliged to contribute one day's pay in every month, and stoppages shall be made of it accordingly, for the purpose of purchasing a regimental library of the most approved authors on tactics and the petite guerre: That some officers from this corps be constantly employed in the recruiting service in the neighbourhood of the places they shall be stationed in; that all recruits so raised, shall be brought into the corps and drilled, and afterwards draughted into other regiments as occasion shall require.

Congress proceeded to the election of a colonel of the said corps of invalids; and the ballots being taken,

Lewis Nicola, esq; was elected.

*Ordered,*

*Ordered*, That the board of war report a plan, for carrying into execution the foregoing resolve.

The committee of appeals, to whom was referred the petition of captain Paul Hufsey, brought in a report ; whereupon

*Resolved*, That captain Yelverton Foukes, commander of the privateer Priscilla, appear before the committee of appeals within forty days after this resolve, and that a copy of this resolve, together with a copy of the said petition and of the affidavit accompanying it, shall be served upon the said Yelverton Foukes, his agent, or some one of the owners of the said privateer Priscilla, to shew cause why the prayer of the said petition should not be granted.

In consequence of an adjustment by the commissioners of claims, the auditor general reports ;

“ That there is due to col. Lindenmuth, late major of col. Gehr’s battalion of Berks county militia, but now colonel thereof, for the balance of pay of capt. Spangler’s company, 634 dollars ; of capt. Shappel’s company, 274.78 dollars ; of capt. Seydett’s company, 293.12 dollars ; of Capt. Ladig’s company, 786.12 dollars ; of capt. Whetstone’s company, 74.54 dollars ; amounting in the whole to 2611 dollars :

To capt. James M’Connel, of col. Watt’s battalion, of Cumberland county flying camp for pay, and for guns, &c. lost at fort Washington, 408.72 dollars.

To Robert Jewell, for the balance of the following accounts for maintaining prisoners in the new goal, his and his two assistants salary, &c. viz. his account from January 24 to February 21, not before settled, £. 234 : 12 : 8 ; from the 6th to the 17th June, £. 147 : 8 : 2, making in the whole £. 382 : 0 : 10, from which deduct £. 300 : 0 : 0, an advance made him in December last, the balance due to him is, £. 82 : 0 : 10, equal to 2:8 70 dollars :

To capt. Yost Herbach, of col. Joseph Donaldson’s battalion of York county militia, for the pay and mileage of his company, 376.10 dollars.”

*Ordered*, That the said accounts be paid.

The committee appointed to devise ways and means for supplying the army with shoes, hats, and shirts, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That a suitable person be appointed commissary, to receive all raw hides belonging to the United States, and that he be authorised to exchange the same for tanned leather or men’s shoes, at the customary rates of exchange, and have the leather, so obtained, worked into shoes, and deliver them to the clothier general or his order, taking duplicate receipts ; one of which he shall transmit to the board of treasury :

That when the said commissary shall be of opinion, that the said exchanges cannot be made on reasonable terms, he be authorised



thorised to provide tanyards, materials and workmen for that purpose, or contract with proper persons to tan them on reasonable terms :

That if oil cannot be procured for preparing the curried leather, the said commissary be supplied with tallow out of the public stores, to be used instead thereof ; and that he draw for so much as may be necessary on any of the commissaries of issues, making a return of the quantity so drawn to the deputy commissary general of issues in the district :

That the said commissary of hides shall be supplied with money for carrying on the said business as occasion may require, on application to Congress ; and that he settle his accounts with the treasury board once a year, or oftener if required :

That the board of war may order the commissary of hides to deliver to the commissary of military stores so much of the leather in his hands as may be necessary for making accoutrements, &c. for the army ; and that the said commissary shall obey such orders and directions as may from time to time be given to him by the board of war, respecting the business of his office and the persons necessary to be employed by him in the service, and make return of his doings to the said board when required :

That the secret committee import a suitable number of felt hats, not exceeding 50,000, and linen for as many shirts, for the use of the army ; and also import from the Spanish West-Indies such a quantity of dried hides as they may judge necessary for a further supply of leather for shoes and other public uses :

That it be recommended to the governments of the several states to procure as much home made linen, suitable for shirts for the troops, as may be obtained on reasonable terms in the respective states, and deliver the same to the clothier general, taking duplicate receipts, and transmit one of them to the treasury board ; and apply to Congress for such sums of money as may be necessary to pay for the same :

That the pay of the commissary of hides be 80 dollars a month.

Congress proceeded to the election of a commissary of hides ; and the ballots being taken,

Peter Philips, esq; was elected.

Congress took into consideration the report of the board of treasury, on the rules to be observed in paying the army ; and after debate,

*Ordered*, That it lie for consideration till Tuesday next, and that in the mean time the board of treasury prepare printed copies of the form mentioned in the said report.

The committee to whom was referred the case of Major Apollos Morris brought in a report, which was taken into consideration ; whereupon

*Resolved*, That Major Apollos Morris be put under parole by the board of war not to bear arms against the United States of America



America during the present war with Great-Britain, not to give any intelligence directly or indirectly to the enemies of the said United States or any of them, of any measures or proceedings of Congress, or any of the legislative or executive powers presiding in the several states respectively :

That when the board of war shall have taken such parole, they direct the said Major Apollos Morris to remain in Philadelphia until an opportunity shall offer for the said Major to take passage to Europe or the West-Indies, with the consent and approbation of the marine committee.

*Resolved*, That Monday next be assigned for considering the articles of confederation.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, June 23, 1777.

Mr. John Penn, a delegate from North-Carolina, attended and took his seat.

A letter of the 20th from general Washington, at Middlebrook, inclosing an extract of a letter from colonel Jackson to general Knox, dated "Boston 8th June," and a copy of a letter from general Schuyler, at Saratoga; also a letter of this day from doctor D. Jackson requesting leave to resign his appointment as a manager of the United States lottery; and a letter of the 20th from doctor Shippen, informing "that doctor Walter Jones for weighty reasons cannot accept the honor Congress did him in appointing him physician general of the hospital in the middle department; and that he gives this information at the desire of doctor Jones," also a letter of the 28th of May from Pierre van Cortlandt, president of the council of safety of New-York, were read.

*Ordered*, That the letter from general Washington, with the papers inclosed, be referred to the committee of intelligence :

That the letter from doctor Shippen lie on the table till tomorrow.

*Resolved*, That doctor Jackson, who has entered into the service of the general hospital have leave to resign his office of manager of the lottery.

A delegate from the state of New-York laid before Congress a printed paper, signed "A word to the wife is sufficient," containing an extract from the minutes of Congress, and a letter signed Thomas Young, to the inhabitants of Vermont; dated "Philadelphia, April 11, 1777," which was read;

*Ordered*, That the letter from P. van Cortlandt and the foregoing printed paper, and the papers formerly received from the convention of New-York, respecting the difference likely to arise between that state and the inhabitants of the place called the New-Hampshire grants, and also the papers received from the said inhabitants, be referred to a committee of the whole.

*Resolved*,

*Resolved*, That Congress will on Wednesday resolve itself into a committee of the whole, to consider the aforesaid letters and papers.

*Resolved*, That Joseph Trumbull, esq; and the several persons by him lately employed in the commissary's department be directed to supply the army with provisions in the mode which they have heretofore practised, until the commissaries general on the new establishment shall be prepared to enter upon the business.

*Resolved*, That the board of war be directed to prepare the form of a commission for the officers in the commissary's department.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That Elias Boudinot, esq; commissary general of prisoners, have power to appoint three deputies under him, in addition to those he was heretofore authorised to appoint :

That all commissaries or other persons in the several states having the custody or care of prisoners of war, be obliged at any time when required by the commissary general of prisoners, or his deputies, to deliver over to him or his deputies, all such prisoners of war as are or shall be in their care or custody.

According to the order of the day, Congress took into consideration the articles of confederation ; and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

A letter of the 14th from general Schuyler, at Saratoga, with seven papers inclosed, was read :

*Ordered*, That the same be referred to the board of war.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That a warrant be drawn in favor of the board of war for 200,000 dollars, to be by them sent to the deputy paymaster general Jonathan Trumbull, junr for the use of the army in the northern department.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, June 24, 1777.

A letter of the 22d from general Washington at Middlebrook ; one of the 2d from Mr. President M Kinley ; one of the 19th from governor Livingston ; and a petition from Henry Yelverton Price, were read :

*Ordered*, That the letter from general Washington be referred to the committee of intelligence.

Congress took into consideration the letter from president M<sup>c</sup>Kinley ; whereupon

*Resolved*, That for the reasons assigned in the said letter, the militia of the state of Delaware now drawn forth into actual service be discharged ; and that a warrant be drawn on the commissioner

missioner of the continental loan office in the said state, in favor of Mr. president M<sup>c</sup>Kinley, for 10,000 dollars, to pay the said militia; he to be accountable.

A petition from Daniel Bucklin, commander of the privateer Montgomery, was read:

*Ordered*, That it be referred to the committee on appeals.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

*Ordered*, That a warrant issue on the continental treasurer in favour of John Gibson, esq; auditor general, for the sum of 500,000 dollars, to be sent to him, and for which he is to be accountable.

*Resolved*, That there be allowed for holding the treaty at fort Pitt, lately agreed to, 3000 dollars, to be paid to colonel George Morgan, for which he is to be accountable:

That there be allowed for contingent expences of the middle department for Indian affairs, until December next, 1200 dollars, to be paid to colonel George Morgan, and for which he is to be accountable.

*Resolved*, That the execution of the resolution of Congress of the 8th day of January last, for laying up magazines of provisions at fort Pitt be suspended, so far as relates to Indian expeditions, of which at present, from the friendly disposition of the Indians, there seems but little probability; and that a magazine be laid up there sufficient only for the supply of the posts and garrisons in that quarter.

*Resolved*. That for completing boats and other vessels ordered by Congress to be kept in readiness at fort Pitt, 3000 dollars be advanced to colonel George Morgan; for which he is to be accountable.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That 1200 dollars be advanced to captain Robert Higgins, of the 8th Virginia regiment, to enable him to compleat his company; he to be accountable for the expenditure.

*Resolved*, That the board of war write to the commissary of prisoners, instructing him to propose to the commissary of prisoners in New-York, that the prisoners of each party in the present war be supplied with such provisions, clothing or other necessaries during their captivity by the respective captors, as may be approved by the deputy commissaries resident where the prisoners are confined, fixing in the contract the quantum and value of a ration of provisions; the cloathing and necessaries to be charged at the current prices; and the account of such supplies to be rendered quarterly, and the balance paid, if required, in provisions at the current rates, if due from the American commissary; or in cloathing at the current price, if due from the British commissary.

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*Resolved*,

*Resolved*, That the commissary of prisoners be empowered to make such contract on behalf of the United States of America, and to make such reasonable alterations from the directions of the board of war as he may find necessary to obtain an equitable bargain for the mutual supply of prisoners.

*Resolved*, That if the commissary general of prisoners shall not be able to accomplish a contract on equitable principles within the space of three weeks from this date, he be authorized to send in a quantity of provisions to supply the prisoners of war taken by the enemy and now in New-York : that the overplus provision beyond what the prisoners want for their sustenance be sold to supply them with cloathing and other necessaries ; and that it be recommended to the commissary general of prisoners not to divulge this resolution, that unreasonable advantage may not be taken of it.

The board of war having recommended that eleven workmen employed by colonel Mark Bird, in the cannon foundery and nail works, in Berks county, in Pennsylvania, carried on by him for the use of the United States, be discharged from the militia into which they are draughted :

*Ordered*, That this matter be referred to the supreme executive council of the state of Pennsylvania.

A petition from Andrew Hodge was read :

*Ordered*, That it be referred to the marine committee ; and that they be impowered and instructed to take measures for obtaining an exchange of Andrew Hodge, son of the petitioner.

A petition from Robert Levers was read :

*Ordered*, That it be referred to the board of treasury.

*Resolved*, That Mr. Frost be appointed a member of the marine committee, in the room of Mr. Whipple.

*Resolved*, That another member be added to the board of war.

*Resolved*, That the election be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, *June 25, 1777.*

Mr. Dyer, Mr. Williams, and Mr. Law, three delegates from Connecticut, attended and took their seats.

A letter of the 28th May, one of the 11th, and one of the 12th instant, from governor Trumbull ; and one of the 20th May from general Spencer, were read :

*Ordered*, That they be referred to the board of war.

*Resolved*, That to-morrow be assigned for taking into consideration the articles of confederation.

According to the order of the day, Congress resolved itself into a committee of the whole, to consider the letter from A. Ten

Broeck,



Broeck, president of the convention of the state of New-York, dated January 20th and March 1st, the resolutions passed in committee of safety for the said state, Fish-Kill, January 20th, 1777; also a petition signed Jonas Fay, Thomas Chittenden, Heman Allen, and Reuben Jones, in behalf of the people styling themselves inhabitants of the New-Hampshire grants, dated "New-Hampshire grants, Westminster, 15th January, 1777;" a letter from Pierre Van Cortlandt, dated 28th May, 1777; and the printed paper, containing a letter signed Thomas Young;—and after some time spent thereon the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the letters and papers referred to them, but not having had time to go through the same, desired leave to sit again.

*Resolved*, That Congress, on Friday next, resolve itself into a committee of the whole, to consider farther the letters and papers aforesaid.

A letter from Monsieur du Coudray was read :

*Ordered*, That it be referred to the board of war.

The committee on foreign applications brought in a report ;

*Ordered*, That the same be taken into consideration to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, June 26, 1777.

A letter of the 25th from general Washington, at Quibble-Town, was read :

*Ordered*, That it be referred to the committee of intelligence.

A letter of this day from Matthew Irwine was read, wherein he informed Congress, that he cannot accept the office of deputy commissary general of issues, to which Congress have been pleased to appoint him.

The committee appointed to inquire into the conduct of the commissaries, to whom the petition of John Lowrie, Michael Mount, and Jacob Hendrickson, and the petition of captain Francis Wade were referred, reported ; " That captain Francis Wade was in January last commissioned by general Washington, in pursuance of authority from Congress, to collect in New-Jersey, for the use of the army, all the beef, pork, flour, spirits, liquor, &c. not necessary for the subsistence of the inhabitants, and if not to be otherwise obtained, to use force for that purpose ; that he accordingly collected considerable quantities, for most of which greater prices were asked by the proprietors than he thought proper to give ;—upon due consideration whereof your committee recommend, that captain Francis Wade be directed to pay the following prices for such articles by him taken in the Jerseys early in January last, which were not paid for to the satisfaction of the owners, viz. pork at 18 2-3d dollars ; West-India rum at 2 2-3 dollars per gallon ; French and country rum

at 2 dollars per gallon ; salt, 4 dollars per bushel ; sugar, 24 dollars per hundred ; cheese, 15 90ths dollar per lb. hogs-lard, 12 90ths dollar per lb. That they have enquired into capt. Wade's conduct as a public officer, and are of opinion, that he acted with as little severity as might be expected in the execution of such an office, ever disagreeable to a free people to have exercised among them, and which nothing but pure necessity could authorise."

The committee farther report in addition to their report of the 14th April last, "That having in course of their inquiry into the conduct of the commissaries, received sundry informations respecting the misconduct of Mr. Carpenter Wharton, they, at his request, furnished him with the charges brought against him, which were sent by a messenger of this house, and are as follows, viz.

1. That during the last campaign he neglected his duty in not seasonably supplying the army with provisions, and put the general under the necessity of appointing a commissary in his stead.

2. That in the fall of the last year he brought to fort Lee such a large number of cattle, by his own acknowledgment not less than 700, others say more, at a time that they suffered greatly for want of proper keeping, and became unfit for beef, many of them in such state when delivered, and from the largeness of their numbers many were lost : and upon the retreat of our army across Delaware river, droves of cattle by his direction were brought in, out of one of which droves 254 cattle were taken as unfit for killing, and sent to his farm to winter, which he acknowledges were sold, the loss upon which, it is supposed, the public are charged with.

3. That he purchased large quantities of flour to supply the magazines and army, at extravagant prices, much beyond what the same might have been procured for, employing persons to purchase either wholly unacquainted with business, or such as designedly raised the prices with a view to increase their profits, under the idea of receiving commissions.

4. That he raised the price of pork by bidding either by himself or agents, much greater prices than people he purchased from had agreed to sell the same for to other commissaries ; that he also purchased rum at prices higher than the same might have been obtained for.

5. That so far from endeavouring to serve the public faithfully, he refused to confer with other commissaries for concerting a mode to prevent the extravagant rise of provisions by their bidding upon each other, said he would take his own method of purchasing, and others might do the same.

6. That he neglected his duty in not purchasing larger quantities of pork in the proper season, when the same might have been had on reasonable terms.

That

That since sending the above charges, the committee have till this time delayed any further proceedings therein, that Mr. Wharton might have sufficient time to offer what he thought proper in vindication of his conduct, but have not heard any thing further from him: they are therefore of opinion, that Mr. Carpenter Wharton ought to be immediately required to settle all his commissarial accounts with the commissioners for auditing accounts now sitting in Philadelphia; and that the said commissioners be furnished with the said charges, and such other information as the committee may think proper to give, the better to enable them to detect frauds if attempted, and do justice in the premises."

*Resolved*, That the said report be agreed to.

According to the order of the day Congress took into consideration the articles of confederation; and after debate thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

#### FRIDAY, June 27, 1777.

A letter of the 19th from W. Aylet, at Williamsburgh; one of the 20th from W. Finnie, D. Q. M. G. also a letter from governor Henry to the delegates of Virginia, were read:

*Ordered*, That they be referred to the board of treasury.

The committee on the treasury reported:

"That there should be advanced to colonel George Morgan 20,000 dollars, for completing the payment of money he has engaged for on contracts for provisions, which are directed to be laid up in magazines at fort Pitt, for the supply of the different garrisons in that quarter; for the expenditure of which the said colonel George Morgan is to be accountable."

*Ordered*, That the said sum be advanced.

In consequence of an adjustment by the commissioners of claims, the auditor general reports:

"That there is due to Robert Aitken, for 768 journals of Congress, a copper plate printing press, &c. 1487.6 dollars:

"To colonel Henry Haller, for the expences of escorting 23 Canadian prisoners from Reading to Paules-Hook, with two stage and three baggage waggons, twenty days on the road, 1044.88 dollars, and for 56 lb. of lead for the use of his battalion, 3.66 dollars, amounting in the whole to 1048.64 dollars:

"To Rebecca Terry, for dieting soldiers of captain Grier's company, 6.70 dollars:

"To Robert M'Knight, for a gun and bayonet, his property, lost in the retreat from Trenton last winter, 13.30 dollars:

"To Franklin Davenport, as brigade major under colonels Griffin, Newcombe, and Penrose, in the militia service of New-Jersey, for pay from the 22d of December, 1776, to 26th January, 1777, 56.48 dollars:

"To



" To William Tricket, for stationary he furnished for the use of Congress and the treasury office, 102 dollars :

" To colonel George Morgan, for the balance of his account in the Indian department, 42.36 dollars :

" To Jacob Neff, for sundry meals supplied troops of the militia on their march, 23.72 dollars :

" To William Pollard, for the expences of six of the Philadelphia light horse to bring colonel Haussegger from Lebanon, by order of general Gates, 63.14 dollars :

" To William Hall, for the expences of four of the Philadelphia light horse on their expedition to Princeton with a charge of money, as also attending prisoners to Coryell's ferry, 60.47 dollars :

" To George Derland, a private in captain James M'Clure's company, for his gun, bayonet, &c. lost at fort Washington, 16.60 dollars :

" To major Thomas Leonard, a prisoner on parole at Reading, being of colonel Skinner's corps in the British service, for his allowance from the 3d of March to the 22d of June, being 16 weeks, at two dollars per week, 32 dollars."

*Ordered*, That the said accounts be paid.

The committee on the treasury reported, " That they have had under consideration the request of the commissary general referred to them for supplying Mr. Matthew Irwine with 80,000 dollars, to enable him to pay for the magazines of provisions laid up in Pennsylvania; that they have been attended by Mr. Irwine, and in answer to their enquiry how this money was intended to be disposed of, were informed, that Joseph Pennel last winter purchased in Lancaster and York-Town, about 20,000 barrels of flour, 11,000 bushels of wheat, and 15,000 gallons of whiskey, which are still stored at those places and Valley Forge, and that a balance of 20,000 dollars remains due to Mr. Pennel, and that Mr. Dunham wants 12,000 dollars to pay for cattle sent to head quarters. That it appears to the committee that the said flour and wheat are in great danger of perishing, and must be wholly lost to the public unless some effectual means are applied for their preservation."

The committee farther report, " That they are also informed by Mr. Irwine, that the price of cattle in Pennsylvania is most exorbitant, and are of opinion that it is adviseable to direct the commissary general to suffer as few as possible to be purchased in that state." Whereupon

*Ordered*, That so much of the said report as relates to the perishable state of the wheat and flour be referred to the board of war, who are directed to confer with Mr. C. Ludwick, superintendant of bakers, on the subject, and direct measures to be immediately taken for preserving the said wheat and flour :

That



That so much of the said report as relates to the high price of cattle in Pennsylvania, be sent to the commissary general of purchases, and that he be directed to suffer as few as possible to be purchased in that state.

*Ordered,* That there be advanced to Matthew Irwine, agent to Joseph Trumbull, esq; commissary general, 80,000 dollars, agreeable to the said commissary's request; who is to be accountable.

*Ordered,* That there be advanced to Rowland Madison, captain of a company of foot in the 12th continental regiment raised in Virginia, and commanded by colonel James Wood, 500 dollars, which is to be charged to the said regiment.

*Ordered,* That a warrant issue on the commissioner of the loan-office in the state of Connecticut, in favour of Joseph Trumbull, esq; commissary general, for 100,000 dollars; for which he is to be accountable.

*Ordered,* That a warrant issue on the commissioner of the loan-office in the state of New-York, in favour of Jonathan Trumbull, jun. esq; deputy paymaster general in the northern department, for 200,000 dollars; for which he is to be accountable.

*Ordered,* That a warrant issue on the treasurer in favour of John Gibson, esq; auditor general, for 500,000 dollars, to be sent to him; for which he is to be accountable.

*Ordered,* That a warrant issue on the commissioner of the loan-office in the state of New-Jersey, in favour of the delegates of New-Jersey, for 31,000 dollars, for the use of that state; which is to be accountable.

*Ordered,* That there be advanced to captain James Holmes, of colonel Martin's New-Jersey battalion, 300 dollars; to be charged to the said battalion.

*Ordered,* That 1000 dollars be advanced to captain Jacob Weaver, of the independent company at Lancaster, for the use of the said company; he to be accountable for the expenditure.

*Resolved,* That to-morrow be assigned for electing a deputy commissary general of issues in the room of Mr. Irwine, who has declined serving.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### SATURDAY, June 28, 1777.

A letter of the 15th of May from William Bingham, at St. Pierre's, Martinico, to the committee of secret correspondence, was laid before Congress and read:

*Ordered,* That it be referred to the committee on foreign applications.

A letter of the 26th from Robert Ritchie was read, requesting leave to resign the office of a manager of the lottery, "As the business of a commissioner of claims, to which Congress has been pleased to appoint him, ingrosses the whole of his time."

*Resolved,*

*Resolved*, That leave be granted to him.

A letter of the 24th from David Hall and others, with sundry papers inclosed, was read :

*Ordered*, That the same be referred to a committee of five.

The members chosen, Mr. Vandike, Mr. Paca, Mr. Duane, Mr. S. Adams, and Mr. Wilfon.

*Resolved*, That Tuesday next be assigned for taking into consideration the report of the committee on foreign applications respecting Monsieur du Coudray.

Congress resolved itself into a committee of the whole to take into consideration the letters and papers from the state of New-York, the petition from Jonas Fay and others, and the printed paper referred to them ; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon, but not having had time to finish, desire leave to sit again.

*Resolved*, That Congress on Monday next be resolved into a committee of the whole to consider farther the papers aforesaid.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

#### M O N D A Y, June 30, 1777.

A letter of the 28th from general Washington, at Middlebrook ; one of the 27th from Joseph Trumbull, esq; and one of this day from colonel George Morgan, were read :

*Ordered*, That the letter from Joseph Trumbull be referred to the board of treasury.

A letter of the 6th and one of the 27th of February, from Silas Deane, esq; at Paris, directed to the committee on foreign applications.

*Ordered*, That they be referred to the committee on foreign applications.

*Ordered*, That 500 dollars be advanced to the delegates of Connecticut, for the use of that state ; which is to be accountable.

*Ordered*, That Mr. Sherman have leave of absence.

*Resolved*, That Mr. Law be appointed a member of the marine committee, in the room of Mr. Sherman.

*Resolved*, That two members be added to the committee on Indian affairs :

The members chosen, Mr. Walton and Mr. Duane.

Congress resolved itself into a committee of the whole to consider farther the letters and papers from the state of New-York, the petition from Jonas Fay, &c. and the printed papers ; and after some time spent thereon the president resumed the chair, and Mr. Harrison reported, That the committee have had under consideration the letters and papers referred to them, and have come to sundry resolutions thereupon, which he was ready to report.

*Ordered*,

*Ordered,* That the report be now received.

The report from the committee of the whole Congress being read, was agreed to as follows :

*Resolved,* That Congress is composed of delegates chosen by, and representing, the communities respectively inhabiting the territories of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, as they respectively stood at the time of its first institution ; that it was instituted for the purposes of securing and defending the communities aforesaid against the usurpations, oppressions, and hostile invasions of Great-Britain ; and that therefore it cannot be intended that Congress by any of its proceedings, would do or recommend or countenance any thing injurious to the rights and jurisdictions of the several communities, which it represents.

*Resolved,* That the independent government, attempted to be established by the people styling themselves inhabitants of the New-Hampshire Grants, can derive no countenance or justification from the act of Congress declaring the United Colonies to be independent of the crown of Great-Britain, nor from any other act or resolution of Congress.

*Resolved,* That the petition of Jonas Fay, Thomas Chittenden, Heman Allen and Reuben Jones, in the name and behalf of the people styling themselves as aforesaid, praying that " their declaration, that they would consider themselves as a free and independent state may be received ; that the district in the said petition described may be ranked among the free and independent states, and that delegates therefrom may be admitted to seats in Congress," be dismissed.

*Resolved,* That Congress by raising and officering the regiment commanded by colonel Warner, never meant to give any encouragement to the claim of the people aforesaid, to be considered as an independent state ; but that the reason, which induced Congress to form that corps was, that many officers of different states, who had served in Canada, and alledged that they could soon raise a regiment, but were then unprovided for, might be reinstated in the service of the United States.

Whereas a printed paper addressed to the inhabitants of the district aforesaid, dated Philadelphia, April 11,  
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1777, and subscribed Thomas Young, was laid before Congress by one of the delegates of New-York, to which address is prefixed the resolution of Congress of the 15th May, 1776, and in which are contained the following paragraphs: "I have taken the minds of several of the leading members of the honourable the continental Congress, and can assure you, that you have nothing to do, but to find attested copies of the recommendation to take up government, to every township in your district, and invite all the freeholders and inhabitants to meet and chuse members for a general Convention, to meet at an early day to chuse delegates for the general Congress and committee of safety, and to form a constitution for yourselves. — Your friends here tell me that some are in doubt, whether delegates from your district would be admitted into Congress. I tell you to organise fairly, and make the experiment, and I will ensure you success at the risque of my reputation, as a man of honor or common sense. — Indeed they can by no means refuse you: you have as good a right to chuse how you will be governed, and by whom, as they had."

*Resolved*, That the contents of the said paragraphs are derogatory to the honor of Congress, are a gross misrepresentation of the resolution of Congress therein referred to, and tend to deceive and mislead the people to whom they are addressed.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### TUESDAY, July 1, 1777.

A letter of the 29th and 30th of June from general Washington, at Middlebrook; one of the 30th from Joseph Trumbull, commissary general; one of the 19th from B. Harrison, junr. deputy paymaster general, at Williamsburg; one of the 28th from Jonathan Hudson, at Baltimore; one of this day from James Mease, and one of 18th of March, from A. Lee, esq; at Vitoria in Spain to the committee of secret correspondence were read: also a letter of the 20th of June from governor Henry, of Virginia, to the delegates from that state in Congress, was read:

*Ordered*, That the letters of the 28th, 29th and 30th of June from general Washington, with the papers inclosed, be referred to the committee of intelligence:

That



'That the letter from governor Henry be referred to the board of war.

*Resolved*, That orders be sent to colonel Charles Harrison, of the regiment of artillery raised in Virginia, to halt in Virginia till further orders.

*Ordered*, That a warrant issue on the treasurer at Baltimore in favour of James Mease, cloathier general, for 10,000 dollars for the public service, he to be accountable.

*Ordered*, That a warrant for 20,000 dollars be drawn on the treasurer in favor of Jonathan Hudson, deputy paymaster at Baltimore, for public service, he to be accountable.

*Ordered*, That the letter from B. Harrison be referred to the board of treasury, and the letter from A. Lee to the committee on foreign affairs.

A letter from governor Caswell of North Carolina to the delegates of that state in Congress, dated Newbern, June 11th, and inclosing a bill of exchange for 700 dollars, drawn on the continental treasurer, was read ;

*Ordered*, That the same be referred to the board of treasury.

The committee on the treasury reported, that they have taken into consideration the letters from governor Henry of Virginia, Mr. Aylett, deputy commissary general, Mr. Finnie, deputy quarter-master general, and an account of provisions purchased in Virginia for the use of the United States ; and find that beside twenty cargoes of flour, amounting to 10282 barrels, shipped from different parts of Virginia on continental account, by order of the commissary general, there remains stored in different places of that commonwealth 10676 barrels of flour, 1100 barrels of pork, and 5790 barrels of Indian corn, which, exclusive of several cargoes and expenditures not accounted for, amount to 48,107l. 9s. 3d. 1-2, of which Mr. Aylett has received 23,727l. 2s. 8d. and he claims a balance in his favor of 24,383l. 6s. 7d. 1-2 ; that this state of his accounts is collected from a rough estimate transmitted by Mr. Aylett, unattended by proofs or vouchers ; that they cannot but express their apprehensions that the flour and corn which remain stored in Virginia are in great danger of perishing and being lost to the public from the heat of the weather and the difficulty of transportation, unless some effectual means be speedily adopted for their preservation. Whereupon

*Resolved*, That the accounts of provisions shipped from and stored in Virginia for the use of the United States, be referred to the board of war, in order that the proper enquiry be made into the state of these provisions, and the most effectual means be adopted to prevent their perishing or being lost to the public :

That a warrant be drawn by the president on Benjamin Harrison, esq; deputy paymaster general in the southern department, for 60,000 dollars, on account of his present demands, and that Mr. Aylett be informed by the board of treasury that agreeably to the late regulations of the commissary general's department, no money can be furnished in future for the use of his department but through the commissary general of purchases, to whom he must apply.

The committee on the treasury further reported, "That William Finnie, esq; deputy quarter-master general in the southern department, should have leave, agreeable to his request, to repair to Philadelphia, in order to settle his accounts with the commissioners of accounts holding their office at the treasury, under the direction of the board of treasury;" whereupon resolved, That leave be granted.

*Ordered*, That 500 dollars be advanced to captain James Lee, towards recruiting the artillery, and charged to the account of Henry Knox, brigadier general of artillery, the same being in full of a bill drawn in his favour by the said brigadier general Knox, dated Camp at Quibbletown, 25th June, 1777.

*Ordered*, That there be advanced to Jacob Blount, esquire, appointed paymaster to the North Carolina troops by that state, or to his deputy William Blount, 24000 dollars for the pay of the said troops, for which the said paymaster is to be accountable.

*Ordered*, That there be advanced to captain James Marbury, of the 3d battalion of Maryland continental troops, commanded by colonel Mordecai Gist, for the use of a detachment of the said battalion under his command, and to be charged to the said battalion, 204 dollars; and for the use of a detachment also under his command of one of the sixteen battalions, commanded by Nathaniel Gist, 260 dollars, to be charged to the said battalion: and for the use of a detachment also under his command of the 4th Maryland continental battalion, commanded by colonel J. Carvil Hall, to be charged to that battalion, 55 dollars: and for the use of a detachment also under his command of the 7th Maryland continental battalion, commanded by colonel John Gunby, 40 dollars, to be charged to that battalion.

*Ordered*, That there be advanced to doctor W. Shippen, director general of the military hospital, 25,000 dollars, for which he is to be accountable.

*Ordered*, That the letter from Joseph Trumbull, esquire, commissary general, which was read this morning, be referred to a committee of three.

The

The members chosen, Mr. Dyer, Mr. Sergeant, and Mr. Roberdeau.

Congress proceeded to the election of a deputy commissary general of issues, in the room of Mr. Irwine, and the ballots being taken, Robert Hoops was elected.

Congress proceeded to the election of a physician general of the hospital in the middle department, in the room of doctor Jones, and the ballots being taken,

Doctor Benjamin Rush was elected.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the part of governor Trumbull's letter of the 12th of June, which relates to the supplying the state of Connecticut with a number of arms, be referred to general Washington.

*Resolved*, That the committee on Indian affairs, be impowered to receive from Mr. Levy the Wampum in his hands belonging to the public, and to dispose of the same for the public service.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, July 2, 1777.

*Ordered*, That the letter of the 30th June from colonel G. Morgan be referred to the board of treasury.

The committee to whom was referred the letter of June the 30th from Joseph Trumbull, esq; commissary general, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the deputy commissaries general of purchases respectively be authorised to make reasonable allowances to such of the assistant commissaries as are employed in buying and collecting live stock, for all extraordinary travelling expences, which they may be necessarily put to, not exceeding one dollar and one third of a dollar per day for such additional allowance :

That there be paid to the assistant commissaries of issues, each sixty dollars a month.

*Resolved*, That the following be the form of the commission to be filled up according to the several stations of the several commissaries of purchases and issues, viz.

I N C O N G R E S S.

The delegates of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations,

ous, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to ——— We reposing special trust and confidence in your patriotism, conduct, and fidelity, do by these presents constitute and appoint you to be ——— in the army of the United States raised for the defence of American liberty, and for repelling every hostile invasion thereof: you are therefore carefully and diligently to discharge the duty of ——— by doing and performing all manner of things thereunto belonging. And you are to observe and follow such orders and directions from time to time as you shall receive from this or a future Congress of the United States, or committee of Congress for that purpose appointed, or commander in chief for the time being of the army of the United States, or any other your superior officer, according to the rules and discipline of war in pursuance of the trust reposed in you. This commission to continue in force until revoked by this or a future Congress. Dated at ———

By order of Congress,  
Attest. ———

President:

Congress proceeded to the election of a surgeon general of the hospital of the middle department, in the room of doctor Rush; and the ballots being taken,

Doct. William Brown, was elected.

*Resolved*, That a member be added to the board of war: The member chosen Mr. Duer.

*Resolved*, That to-morrow be assigned for taking into consideration, the articles of confederation.

Congress took into consideration the report on Monsieur du Coudray's affairs; whereupon

The committee on foreign applications laid before Congress the following papers:

1. Articles of agreement entered into between Silas Deane, on the one part, and the Sienr Philippus Charles John Baptist Tison du Coudray, adjutant general of artillery in the service of France, dated 11th of September, 1777.

2. *Compte rendu* a Messr. les deutes de l'honorable Congres, des etats unie d'Amerique par Monfr. du Coudray. With a translation.

3. A bundle of original papers referred to in the foregoing account.

4. An agreement entered into between Benjamin Franklin and Silas Deane, in behalf of the United States, and the chevalier du Portail, lieutenant colonel in the royal corps of engineers of France, Monsieur de Laumoy, major, Monfr.

de



de Gouvion, capt. and Monfr. La Radiere, major, in the said corps, together with observations thereon both in French and English :

And the said committee reported, as their opinion, that the consideration of these several agreements and papers should be referred to a committee of the whole Congress ; whereupon

*Resolved*, That the said agreements, &c. be referred to a committee of the whole. Congress was then resolved into a committee of the whole, to consider the foregoing papers ; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration, the agreements and papers referred to them, but not having had time to go through the same, desire leave to sit again.

*Resolved*, That Congress, on Saturday next, resolve itself into a committee of the whole, to consider farther the papers before mentioned.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### T H U R S D A Y, July 3, 1777.

A letter of the 1st from general Washington, at Middlebrook ; one of the 25th of June, from general Schuyler, at Saratoga, with sundry papers inclosed ; one of the 2d from Joseph Trumbull ; one of the 30th June, from general Putnam, at Peekskill ; one of the 22d of June, from doctor Potts, at Ticonderoga ; one of the 16th of June, from John Avery, deputy secretary, dated council chamber, Boston ; and one of the 1st of July, from general Sullivan, at Middlebrook ; were read :

*Ordered*, That the letters from general Washington and general Schuyler, with the papers inclosed, be referred to the board of war ; that so much of general Washington's, as relates to money matters, and the letter from Joseph Trumbull, be referred to the board of treasury, and that the letter from doctor Potts be referred to the medical committee.

A letter of the 22d of June, from William Greene, speaker of the general assembly of Rhode-Island and Providence Plantations, to the delegates in Congress from that state, was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom the letter from David Hall and others, with the papers accompanying the same, was referred, brought in a report : whereupon

*Resolved*,

*Resolved*, That the president of the state of Delaware be requested to order two hundred of the militia of that state to join and co-operate with colonel Richardson's regiment :

That it be earnestly recommended to the legislative or executive authority of the state of Delaware, to adopt and pursue the most vigorous and effectual measures for checking the spreading of disaffection in that part of the state :

That for accomplishing this end Congress will afford to the state of Delaware every assistance by the continental troops ordered into the county of Sussex, and by all such other measures as may be found to be necessary.

*Resolved*, That the board of war be directed to take effectual measures for compleatly arming as speedily as possible colonel Richardson's battalion, which is ordered into Sussex county in the state of Delaware.

*Ordered*, That a copy of the foregoing report and resolutions, and also of the letter of the 24th June from David Hall and others, together with copies of the depositions accompanying the same, be sent to the president of the state of Delaware, and to colonel Richardson.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Saturday.

#### SATURDAY, July 5, 1777.

A letter of the 25th of June from general St. Clair, at Ticonderoga; one of the 1st of July from major general Greene, and one of the same date from brigadier general Knox; one of the 30th of June from brigadier general Wayne :

A petition from colonel M. Hazen, and one from Robert Anderson, were read :

*Ordered*, That the letter from general St. Clair, with the papers inclosed, be referred to the board of war :

That the petition from colonel Hazen, with the papers accompanying the same, be referred to the board of treasury.

The board of treasury reported, that they have had under consideration the petition of captain William Jenkins, referred to them the 11th of October last, and he having been qualified to the truth of the facts therein set forth, they are of opinion that he should be paid 180 dollars, which he had received for the payment of his company and lost in the retreat from the siege of Quebec.

The committee on the treasury farther reported ;

That

That a warrant should be drawn on Thomas Smith, esquire, commissioner of the loan office in the state of Pennsylvania, in favor of John Gibson, esquire, auditor general, for 100,000 dollars, he to be accountable.

That another warrant be drawn on the auditor general in favor of Richard Ellis, for 700 dollars, being in full of a bill drawn by his excellency governor Caswell, of North Carolina, in part of the expences of horses and carriages and other necessaries furnished colonel Derford and five other French gentlemen of his party on their journey from thence to Philadelphia. to be charged to the said governor :

That there be advanced to colonel Flower, commissary general of military stores, 10,000 dollars, for the use of his department, he to be accountable :

That a warrant be drawn by the president on Benjamin Harrison, junior, esquire, deputy paymaster general in the southern department, in favor of colonel William Aylett, deputy commissary general in the said department, for 54,000 dollars, the said colonel Aylett to be accountable :

That there should be advanced to Jacob Mehs, lieutenant in captain Anderson's company of the Pennsylvania regiment commanded by colonel Walter Stewart, 200 dollars, which is to be charged to the said regiment :

That a warrant be drawn in favor of the board of war for 524,000 dollars, to be transmitted by them to the paymaster general for the pay of the army :

That a warrant be drawn on the commissioner of the loan office for the state of Rhode-Island, to pay to the order of the general assembly of the said state 190,000 dollars, for which they are to be accountable :

That there be advanced to the delegates of the state of Rhode-Island, 10,000 dollars, to enable them to answer a bill drawn on them for the use of the said state, and for which that state is to be accountable :"

*Ordered,* That the said sums be paid or advanced, or warrants drawn.

A letter of the 1st from Lux and Bowley, Samuel and Robert Purviance, and David Stewart, directed to Robert Morris, esquire, was laid before Congress and read :

*Ordered,* That it be referred to the secret committee.

Whereas the secret committee, by the absence of a number of members, is reduced to two ;

*Resolved,* That a new committee, to be stiled " The committee

mittee of commerce," be now appointed, to consist of five members; that this committee be vested with the powers granted to the secret committee, and that the members of the late secret committee be directed to settle and close their accounts and transfer the balances to the committee of commerce:

The members chosen, Mr. R. Morris, Mr. P. Livingston, Mr. W. Smith, Mr. Heyward, and Mr. Gerry.

*Ordered*, That the case of Nicholas Davis, formerly referred to the secret committee, be referred to the committee of commerce.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

"That there is due,

To John Coats, for his musket lost after the battle of Princeton, he having been disabled, 14 60-90 dollars:

To Frederick Beeking, for 142 reams of paper for continental bills of credit, 1420 dollars:

To captain Thomas Lansdale, late a lieutenant in captain Howard's company of colonel Hall's battalion of Maryland flying camp, for provisions and necessaries supplied 365 men discharged from New-York in January last, 148 15-90 dollars:

To the owners of the powder-house, for storage of 434 1-4 barrels of powder, 57 81-90 dollars, to be paid to the widow Spring:"

*Ordered*, That the said accounts be paid.

A deposition of Thomas M<sup>r</sup>Arthur, taken before Joshua Elder, one of the Justices of the Peace for the county of Lancaster, in the state of Pennsylvania, respecting the conduct of Davies, of the city of Philadelphia, employed in purchasing horses, was laid before Congress and read:

*Ordered*, That it be referred to the board of war.

On application from the marine committee,

*Ordered*, That a warrant for 40,000 dollars be drawn on the commissioner of the loan office in the state of Massachusetts-Bay, in favor of John Bradford, esquire; and a warrant for 5000 dollars on the deputy paymaster general in Virginia, in favor of John Tazewell, the continental agent, for the use of the frigate Virginia; and another warrant for 20,000 dollars on the commissioner of the loan-office in the state of Connecticut, in favor of governor Trumbull, for the use of the frigates building there, the same being in part of the money heretofore granted to the marine committee.

A



A copy of a letter from colonels Hale, Scammell, and Cilley, of the New-Hampshire battalions, to the executive power of that state, was laid before Congress and read :

*Ordered*, That it be referred to the board of war ; who are directed to take the most effectual measures and give the necessary orders for arming and cloathing the troops in the northern department.

Congress took into consideration the letters from major general Greene and brigadier general Knox, and after debate,

*Resolved*, That the farther consideration thereof be postponed to Monday

A letter from brigadier general Moore was read :

*Ordered*, That it be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, July 7, 1777.

A letter of the 5th from general Washington, with a letter to him from G. Saltonstall, and a petition from Seth Warner and other officers, were read :

*Ordered*, That the letter from general Washington, with the letter inclosed, be referred to the board of treasury ; that the petition from Seth Warner and others lie on the table.

A petition from the reverend F. Allison, J. Ewing, and W. Marshall was read :

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. Roberdeau, Mr. J. Adams, and Mr. J. B. Smith.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That William Buchanan, esquire, deputy commissary general of purchases for the middle department, be directed to appoint a proper person to supply the regiment commanded by colonel Richardson with provisions, during its continuance in Maryland and the state of Delaware :

That in case Mr. Buchanan should decline acting as deputy commissary for the department, the governor and council of Maryland be authorised and requested to make the appointment of a deputy commissary for the supplying colonel Richardson's battalion with provisions during their stay in Maryland or the state of Delaware.

*Ordered*, That the remainder of the said report be referred to the board of treasury, in order that they may di-

rect or point out the mode of paying colonel Richardson's battalion.

The board of war brought in another report ; whereupon *Resolved*, That a letter be written to the council of safety of the state of New-York, informing them of the distress which the troops at Ticonderoga are in for want of blankets, and requesting them to use their exertions in collecting and forwarding in the most expeditious manner to that post fifteen hundred blankets :

That the faith of Congress be plighted to the state of New-York for replacing the blankets so furnished out of the first importation of that article on the account of the continent in any part of the United States.

A petition from Robert Galbreath was read, and ordered to lie on the table.

Congress resumed the consideration of the letters from generals Sullivan, Greene, and Knox, all dated the 1st of July ; whereupon Congress came to the following unanimous resolution :

That the president transmit to general Washington copies of the letters from generals Sullivan, Greene, and Knox to Congress, with directions to him to let those officers know that Congress consider the said letters as an attempt to influence their decisions, an invasion of the liberties of the people, and indicating a want of confidence in the justice of Congress ; that it is expected by Congress the said officers will make proper acknowledgments for an interference of so dangerous a tendency ; but if any of those officers are unwilling to serve their country under the authority of Congress, they shall be at liberty to resign their commissions and retire.

The committee on the treasury reported, that a warrant should be drawn by the treasurer in favor of Monf. the Sieur Philippus Charles John Baptist Tronson du Coudray, for 1000 dollars, for which he is to be accountable :

*Ordered*, That the said warrant be drawn.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

“ That there is due to Messieurs Caldwell and company, for sundry medicine, delivered William Smith, continental druggist, for the use of the United States, 666 60-90 dollars :”

*Ordered*, That the said account be paid.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y,

TUESDAY, July 8, 1777.

A letter of the 7th from general Washington at Morristown; and one 7th from Joseph Trumbull esq; were read:

*Resolved*, That brigadier general Nash be directed immediately to repair with the North Carolina and Virginia forces now in and about Philadelphia to Billingsport, there to remain till farther orders; and that these troops, with the militia from Pennsylvania and New-Jersey already ordered to that place, be employed in compleating the works for the defence of the river Delaware.

*Ordered*, That Michael Hillegas, esq; continental treasurer at Baltimore, forward under a proper guard 300,000 dollars to the state of North-Carolina, being in part of the 500,000 dollars voted that state the 5th day of February last.

*Resolved*, That the committee of the whole Congress be discharged from so much of the business referred to them, as relates to the agreement entered into between B. Franklin and Silas Deane, esqrs, in behalf of the United States, and the chevalier du Portail, Mons. de Laumoy, Mons. de Gouvion and Mons. de la Radiere.

The committee on foreign applications brought in a report, which was taken into consideration; whereupon

*Resolved*, That lieutenant colonel Mottin de la Balme be appointed inspector general of the cavalry of the United States of America, with the rank and pay of colonel:

That Mons. Vallenais be appointed an aid to Mons. de la Balme, with the rank and pay of a captain of cavalry.

*Resolved*, That the treaty made by the commissioners in France, on the 13th day of February last, be confirmed as far as it respects the chevalier du Portail, Mons. de la Radiere, and Mons. de Gouvion; the first to be a colonel, the second a lieutenant colonel, and third major of engineers.

Congress resumed the consideration of the report of the board of treasury of the 25th of June; whereupon

*Resolved*, That colonel George Morgan be authorised and directed to deliver so much of the provisions laid up in magazines at Fort Pitt, as he shall from time to time judge sufficient for the different garrisons in his department, always taking the commanding officer's receipt for such provisions; and that he make a reasonable allowance to a discreet person in each of the said garrisons to attend the issuing the said provisions, and to take every precaution in his power to prevent waste and fraud in issuing such provisions.

*Resolved*, That major gen. Gates be directed to repair to head quarters and follow the directions of general Washington.

The

The delegates of North-Carolina laid before Congress a letter from Adam Boyd :

*Ordered*, That it be referred to the board of war, who are directed to take into consideration the case of the regimental armourers for the North-Carolina forces, and report thereon.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

“ That there is due to lieutenant David Edwards, and Amos Willet, serjeant, for their expences and horse hire bringing Elihu Hand, a suspected person, prisoner from Cape May to Philadelphia, by order of general Arnold, 31 dollars :”

*Ordered*, That the said account be paid.

On a report of a committee of the treasury,

*Ordered*, That a warrant be drawn on Michael Hillegas, esquire, continental treasurer, in favor of Clement Holliday, esquire, paymaster of the Maryland battalion of continental troops commanded by colonel Richardson, for 10,000 dollars, for the use of the said battalion, and for which the said paymaster is to be accountable.

*Resolved*, That Robert Harrison, esquire, be appointed to muster the said battalion while employed in the service for which it is now destined ; and that he be allowed a reasonable compensation for every muster which he shall perform :

That while the said battalion continues in such service colonel Richardson shall certify the pay rolls of the several companies of the said battalion, and his certificate shall be a sufficient voucher to the paymaster.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, *July 9, 1777.*

A petition from John White, Charles Whittesly, and Othniel Phelps, regimental quartermasters, was read :

*Ordered*, That it be referred to the board of war.

A letter of the 7th from R. L. Hooper, deputy quartermaster general, and a letter of the 5th from Joseph Trumbull, esquire, were read :

*Ordered*, That they be referred to the board of treasury.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*,



*Resolved*, That the resolution of Congress relative to the measures taken for the defence of Bollingport, be transmitted to the executive council of the state of Pennsylvania, and that they be desired to go on with the assistance Congress have afforded them to complete the works at that place with all expedition agreeable to the report of the committee referred to them on the 11th June last.

*Ordered* That 300 dollars be advanced to the secretary of the board of war for contingent expences, he to be accountable.

*Ordered*, That the clothier general supply the Indians now in Philadelphia with presents to the amount of 100 dollars.

*Resolved*, That the secret committee be authorized and directed to unload and dispose of the three cargoes, which were shipped last spring and are still in the river Delaware, and to place the amount of the sales to the credit of the United States.

*Resolved*, That the bills taken in the several states from the officers who are or have been prisoners, in lieu of the subsistence money ordered to be advanced them by Congress, be transmitted to the board of treasury in Philadelphia, for the use of the United States.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, July 10, 1777.

A petition from Joseph Belton, and one from captain Joseph Lees, were read.

*Ordered*, That the former be referred to the board of war, and the latter to the marine committee.

The secret committee laid before Congress a letter of the 8th of June from John Dorius, for himself and Levinus Clarkson, and a bill of exchange drawn by Alexander Rose on John Dorius in favor of Willing, Morris and Co.

*Ordered*, That the same be referred to the board of treasury, in order for paying here the before mentioned bill, and directing Mr. Dorius to apply the amount of the said bill in discharge of the debts incurred in consequence of orders from the secret committee, and also to enable the agents of the secret committee in South Carolina, to receive all the money arising from the sale of the state lottery tickets in that state, towards discharging the debts aforesaid.

In

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

“ That there is due, To Seth Griffin, for riding exprefs from Bedford to New-London, and from thence to Philadelphia and back, and for his expences during his detention here, 108 dollars :

To James M'Culloch, for riding exprefs from fort Henry to Pittsburgh, 12 dollars :

To Monf. Lotbinier, a Canadian chaplain, for his pay and rations, from the 10th of June to the 10th of July, being one month, 41 30-90 dollars :

To Henry Baker, for provisions supplied continental troops at Winchester, in Virginia, and on their march and for his services iffuing the same, 48 48 69-90 dollars :”

*Ordered*, That the faid accounts be paid.

The committee on the treasury brought in a report, where-upon

*Ordered*, That 10,000 dollars be paid to Robert Lettis Hooper, or his order, on account of flour and beef purchafed for the ufe of the army, agreeable to a bill of Joseph Trumbull, commiffary general in his favor on the prefident of Congress, dated 5th of July instant.

That 2000 dollars be advanced to colonel Armand de la Rouerie, for the recruiting fervice ; for which he is to be accountable.

Congrefs was refolved into a committee of the whole to confider farther the contract made with Monf. du Coudray, and the papers referred to them, and after fome time the prefident refumed the chair, and Mr. Harrifon reported that the committee have had under confideration the papers referred to them, but not having yet come to a conclufion defire leave to fit again.

*Resolved*, That Congress be refolved to-morrow into a committee of the whole, to confider farther the contract and papers aforefaid.

*Ordered*, That the feveral committees who have any letters or papers tending to throw light on the fubject before the committee of the whole, lay the same before Congress to-morrow, that they may be referred to the faid committee.

The delegates of North-Carolina laid before Congress a refolution paffed by the fenate and houfe of commons of that ftate, that the artillery company in that ftate may be taken into the pay of the continent :

*Ordered*,

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report; whereupon

*Ordered*, That 16087 dollars be advanced to major Charles Sims, of the 12th Virginia regiment commanded by colonel William Russell, to pay off a part of the said regiment now ordered on service to Billingsport; the same to be charged to the regiment.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

FRIDAY, July 11, 1777.

A letter of the 10th from general Washington, at Morristown, and one of the 9th from Joseph Trumbull, inclosing a copy of a letter of the 22d of June from W. Aylett, were read.

Congress resumed the consideration of the report of the board of war of the 16th June; whereupon

*Resolved*, That Mr. John Baynton, be appointed deputy paymaster general to the troops and garrisons on the frontiers of Virginia and Pennsylvania, and that such parts of his letter to the board of war as relate to money, be referred to the board of treasury.

*Ordered*, That an extract of general Washington's letter of the 10th, so far as it relates to general Arnold, be sent to him, and that he be directed to repair immediately to head quarters and follow the orders of general Washington.

*Ordered*, That the letter from general Washington, with the papers inclosed, be referred to the board of war, and that they be directed to confer with the general officers in and near Philadelphia.

Congress was resolved into a committee of the whole to consider farther the contract made with Mons. du Courdray, and the papers referred to them, and after some time the president resumed the chair, and Mr. Harrison reported that the committee have had under consideration the papers referred to them, and have made some progress, but not having come to a conclusion desire leave to sit again.

*Resolved*, That Congress be to-morrow resolved into a committee of the whole, to consider farther the papers aforesaid.

A letter of the 9th from general Washington, at Mor-

ristown; one of the same date from Joseph Trumbull; one of the 10th from Charles Stewart; one of the 5th from general Schuyler, inclosing three letters from general St. Clair, at Ticonderoga; one dated the 30th of June; one the 2d and one the 3d of July, and the proceedings of a court martial on serjeant Nicholas Kent; were read:

*Ordered*, That the letter from general Schuyler, with the papers inclosed, be referred to the board of war.

*Resolved*, That a committee of three be appointed to proceed immediately to the army under the command of general Washington; that they be authorized and directed to make a diligent enquiry into the state of the army, particularly into the causes of the complaints in the commissary's department, and to make such provision as the exigency and importance of the case demands; that they report the whole of their proceedings for the consideration of Congress with as much dispatch as possible:

The members chosen, Mr. P. Livingston, Mr. Gerry, and Mr. Clymer.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, July 12, 1777.

A petition from Mons. du Coudray, was read:

*Ordered*, That it be referred to the committee of the whole Congress.

A petition from Samuel Culbertson was read:

*Ordered*, That it be referred to the board of treasury.

In consequence of an adjutment by the commissioners of claims, the auditor general reports,

"That the amount of Daniel Barry's account for his services as an interpreter to sundry French officers from North Carolina to Philadelphia, and for his expences here and returning home, is 69l. 13s. 10d. of which he received at Newburn 20l. and from governor Henry of Virginia, 10l. and that the balance due to him is 39l. 13s. 10d. equal to 105 76 90 dollars."

*Ordered*, That the said balance be paid.

The committee on the treasury brought in a report; whereupon

*Ordered*, That 500 dollars be paid to Gerard W. Beekman, in discharge of general Washington's draught on William



William Palfrey, esq; paymaster general, in favour of Nathaniel Sacket, the said bill being transferred to the said Beekman, and to be charged to William Palfrey, esquire.

That there be advanced to Jacob Blount, esq; paymaster of the North-Carolina battalions, and to be delivered to William Blount, esq; or his order, 10,000 dollars for the pay of the said battalions, and for which the said paymaster is to be accountable; the same to issue by two warrants, one for 6,500 dollars, and the other for 3,500 dollars:

That there be advanced to doctor William Shippen, director general of the hospitals, 8000 dollars, for which he is to be accountable:

That Alexander Ross's bill on John Dorfius, in favour of Willing, Morris, and Co. dated Boston June 24th, for 10,000 dollars, be taken up by the secret committee on the credit of the said John Dorfius, who acts as agent of the said secret committee; and that a warrant issue from the president on the loan office of Massachusetts-Bay, for that sum in favour of Willing, Morris, and Co. the secret committee to be charged therewith.

Congress was resolved into a committee of the whole, to consider farther the contract made with Monsi. du Courdray, and the papers referred to them; and after some time the president resumed the chair and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, and have come to sundry resolutions thereon which he was ordered to report, but not having come to a conclusion desired leave to sit again.

The resolutions agreed to by the committee of the whole were read:

Ordered to lie on the table.

*Resolved*, That Congress be on Monday next resolved into a committee of the whole, to consider farther the papers referred to them.

A letter of the 11th and 12th from general Arnold, was read.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That general Washington be informed that there are about 1400 men at Philadelphia and Billingsport, ready to march at a moment's warning, but wait his orders; which he will please on receipt of the express to transmit to brigadier general Nash:

That it be strongly recommended to the governments of the state of New-York, and the eastern states, to send such reinforcements of militia to the armies under general Washington, or general Schuyler, as shall be from time to time requested :

That serjeant Nicholas Kent, condemned to be shot for desertion to the enemy, and recommended to the mercy of Congress by general Schuyler, and a number of other reputable persons, be, notwithstanding the atrociousness of his crime, pardoned ; as there are peculiar circumstances of mitigation attending his case :

That Congress approve of the commissioners for Indian affairs purchasing Indian goods at Boston, as mentioned in general Schuyler's letter of the 5th, and that he be informed no supply of blankets or strouds can be sent him from hence.

That a continental muster-master be immediately ordered to muster the militia employed on the works at Billingsport :

*Ordered*, That the remainder of the report lie for farther consideration.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *July 14, 1777.*

A letter of the 12th from general Washington, at Pump-ton plains ; one of the same date from general Sullivan, at Ramapough ; and one from colonel Spotswood, of the 10th regiment of Virginia forces, were read :

*Ordered*, That the letter from colonel Spotswood be referred to the board of war.

*Resolved*, That general Nash proceed immediately with the Virginia and North-Carolina troops, together with colonel Proctor's corps of artillery, to join general Washington.

Congress took into consideration the letter of the 11th and 12th, from general Arnold ; and after debate

*Resolved*, That it lie for farther consideration.

A letter of this day from general Arnold, was read.

*Ordered*, That the letter from general Washington be referred to the committee of intelligence, and afterwards to the board of war.

A letter from the governor of Virginia, to the delegates of that state, was laid before Congress and read :

*Ordered*,

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That the letter from general Sullivan be referred to the board of war.

*Ordered*, That two months pay be advanced to Monf. de la Balme, and to Monf. Vallenais, his aid, each to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

“ That there is due for the pay of four companies of city guards from the second of June to the second of July instant, and to be paid to colonel Lewis Nichola, 2245 2-90 dollars :

*Ordered*, That the said sum be accordingly paid.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

TUESDAY, July 15, 1777.

A memorial from James Byers, and one from Herman Zedwitz, and an application from colonel Proctor, were read :

*Ordered*, That the first be referred to the marine committee ; and the two last to the board of war.

*Ordered*, That the board of treasury prepare and report to Congress, a draught of instructions to the paymaster and deputy paymasters general of the respective departments, for regulating the advances to be made to the recruiting officers of the battalions in the service of the United States.

Congress was resolved into a committee of the whole, to consider farther the contract made with Monf. du Coudray, and the other papers referred to them ; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have had under consideration the papers referred to them, but have come to no farther resolution thereon.

*Resolved*, That a committee of three be appointed to confer with Monf. du Coudray ; that they inform him, Congress cannot comply with the agreement he has entered into with Mr. Deane ; but that sensible of the services he has rendered these states, and having a favourable opinion of his merit and abilities, they will cheerfully give him such rank and appointments as shall not be inconsistent with the honor and safety of these states, or interfere with the great duties they owe to their constituents :

*Ordered*,

*Ordered*, That the appointment of the committee be postponed till to-morrow.

A plan of the works at Billingsport was laid before Congress :

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That there be paid to Matthew Irwine, agent to the commissary general of purchases, 50,000 dollars in discharge of a bill drawn by him on the president of Congress dated 27th June towards supplies for the army, the said commissary general to be accountable :

That there be advanced to captain William Beal, of the 6th Maryland regiment, commanded by colonel Otho Williams, 400 dollars, for the use of a detachment of the said regiment now on their march to join the army, and for which the said regiment is to be charged :

That there be advanced to major general Arnold, 2700 dollars, for which he is to be accountable :

That there be advanced to Mr. John Baynton, deputy paymaster general for the troops on the western frontiers, 15,000 dollars, for the pay of the said troops, and for which he is to be accountable :

That there be advanced to captain Jacob Weaver, of an independent company of foot, raised in Pennsylvania for the continental service and stationed at Lancaster, 2000 dollars, for which he is to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

W E D N E S D A Y, *July* 16, 1777.

Congress proceeded to the election of a committee to confer with Mons. du Coudray, and the ballots being taken the following gentlemen were elected :

Mr. Heyward, Mr. J. Adams, and Mr. Lovell.

The marine committee brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the pay and subsistence of surgeons in the navy be equal to the pay and subsistence of the lieutenants of the vessels to which they shall respectively belong.

*Resolved*. That the marine committee be empowered to fit out two fire ships at the continental expence.

Congress took into consideration the report of the board of war of the 23d of June last ; whereupon

*Resolved*,



*Resolved*, That for carrying into execution the resolve respecting colonel Nicola's corps of invalids, the following plan for raising one company be adopted for raising the whole of the said corps;

1. That the director general of the continental hospital be desired to give directions to the physicians and surgeons in the different departments at a reasonable distance from Philadelphia that before they discharge any serjeants, corporals, or private men from the hospitals as unfit for service, they consider whether such men are actually, or likely soon to be, capable of doing garrison duty, and if thought so to mention it in the discharge, that they may not be entirely discharged from the service, but transferred from the regiment to which they actually belong to that of invalids; and in case such men are at a distance from their respective regiments, that the director or steward of each hospital send such men to Philadelphia, in the best manner circumstances will admit:

2. That notice be sent by the board of war to the generals commanding the armies, of the raising a corps of invalids, and they be desired to give orders to the officers commanding regiments, that in case they have any serjeants, corporals, drummers or private men, deemed incapable of doing field duty, such men be examined by the director of the hospital or some other physician or surgeon, and if judged fit for garrison duty that they be not discharged, but transferred to the invalid corps and sent to Philadelphia as soon as possible.

Men having only one leg or one arm each, if otherwise capable of doing garrison duty, are to be deemed proper recruits for this corps.

3. That the following advertisment be published in the several news-papers as soon as possible, viz. "War-Office, June 1777. Congress being desirous to make provision for such men as suffer in the military service of the United States, have directed a regiment of Invalids to be immediately raised for the reception of such as have already been or may in future be rendered by wounds or disorders incapable of doing field duty, but are yet fit for garrison service. Notice is hereby given, that all persons in Philadelphia or within 20 miles round, who are under continental half pay on account of incapacities contracted in the service, must within fifteen days repair to Philadelphia and shew themselves to colonel Nicola, in Front-street four doors below the coffee-house, that if judged capable of duty they may be put on full pay. All other persons who have served in the armies of the United States within the above description, though  
not

not on half pay, may present themselves, and if judged capable they will be immediately received. All such as are above twenty miles from Philadelphia must apply to the nearest continental general, field officer, physician or surgeon, who are desired to forward such as they judge fit for the corps of Invalids. Officers, who from wounds or disorders contracted in the service, are rendered unfit for field duty, must signify their pretensions, with certificates from continental physicians or surgeons to the board of war. As this corps is intended not only as a provision for disabled officers and soldiers, but as a school for propagating military knowledge and discipline, no officers need apply but such as produce ample certificates of their having served with reputation, and having supported good characters, both as citizens and soldiers. Officers and soldiers who have engaged during the war will be preferred :"

*Resolved*, That Enoch Welsh be appointed an Ensign in the corps of invalids.

*Ordered*, That 880 dollars be advanced to captain Matthews who is under orders to go to Virginia on the recruiting service, and that the same be charged to the 4th battalion of Virginia forces, commanded by lieutenant colonel Lawton.

A letter of the 15th from John M'Kinly, president of the state of Delaware, was read.

The committee on the treasury brought in a report, which was taken into consideration : whereupon

*Ordered*, That 20,000 dollars be advanced to Col. Benjamin Flower, commissary general of military stores, for which he is to be accountable :

That there be advanced to Mr. Anthony Butler, agent to major general Mifflin, quartermaster general, 100,000 dollars, agreeable to the quartermaster general's draught on the president of Congress, dated the 10th instant, and for which money the quartermaster general is to be accountable :

That there be advanced to the president and supreme executive council of the commonwealth of Pennsylvania, on their application for that purpose, 60,000 dollars, for which the said commonwealth is to be accountable.

The board of war, to whom the plan of the works at Billingsport was referred, brought in a report, which was considered ; whereupon

*Resolved*, That Mons. du Coudray's plan of the 14th inst. of the fort at Billingsport be approved and immediately carried into execution.

A letter of the 14th from general Washington at Vanauler's, eight

eight miles from Pumpton plains ; and one of the 6th from Richard Varick, deputy muster-master general in the northern department, were read :

*Ordered*, That the letter be referred to the board of war.

*Ordered*, That the board of war lay before Congress as soon as possible a list of the foreign officers in the service of the United States, with an account of the relative rank they held in the armies of the king of France or other European power, and the rank they now holds.

A memorial from monf. du Portail and other engineers, together with observations on the treaty made with them in France, were read.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### T H U R S D A Y, July 17, 1777.

A letter of the 16th from general Washington, dated Camp near the Clove, and of this day from monf. du Coudray, were read.

The committee appointed to confer with monf. du Coudray reported verbally that they have executed that business, and communicated to him the resolution of Congress :

*Ordered*, That the said committee take into consideration the situation of monf. du Coudray, and report what proposals it will be proper, in their opinion, for Congress to make him :

*Resolved*, That two more members be added to the said committee ;

The members chosen, Mr. Morris and Mr. Wilson.

A memorial from a committee of the trustees of the college in New-Jersey, was read :

*Ordered*, That it be referred to the board of war.

Monf. du Coudray having applied by a letter to the president for the articles of agreement entered into between him and Mr. Deane, and the bundle of original papers referred to in his account, which he delivered to the committee on foreign applications, and which were by them laid before Congress ;

*Ordered*, That the said papers be delivered to him by Mr. Lovell, one of the members of the committee on foreign applications.

*Ordered*, That a letter be written to the executive powers of the states not represented in Congress, informing them that the confederation of the states and several other important matters are put off for want of a full representation of all the states ;

and earnestly recommending it to them to send a sufficient number of members to represent them as soon as possible.

Congress took into consideration the memorial of mons. du Portail and the other engineers, and thereupon.

*Resolved*, That the prayer of the said memorial for a rank higher than that agreed on in the treaty made with them by mess. Franklin and Deane, at Paris, be not complied with.

*Ordered*, That the board of treasury examine the accounts of the said engineers, and report a draught of money in their favour :

A memorial from baron Holtzendorf, together with a treaty made with him by Silas Deane, Esq; at Paris, 25th Nov. 1776, was read, and the same being taken into consideration, it was thereupon

*Resolved*, That the said treaty be agreed to so far only as to make the said baron Holtzendorf a lieutenant colonel in the service of the United States, and that his pay commence from the date of the said agreement.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Ordered*, That in lieu of the advance ordered on the 12th to be made to doctor W. Shippen, director general of the hospital, a warrant be drawn on the loan officer in the state of Connecticut, in his favour, for 8000 dollars, for which the said doctor Shippen is to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

“ That there is due, to captain Jacob Fauns, of lieutenant colonel John Lawrence’s battalion of the flying camp, for subsistence of the recruits of his company while recruiting, from the 27th August to the 20th September, 1776, 56 37-90 dollars :

To James Aitken, his pay and rations as chaplain to the 4th North Carolina regiment, from the 1st July to the 14th Aug. being one month and an half, at 41 1-3 dollars per month ; also an allowance of two dollars a day for 30 days, allowing him for his expences returning to North-Carolina, amounting in the whole to 122 dollars : ”

*Ordered*, That the said accounts be paid.

Congress took into consideration the report of the board of war of the 2d and 3d instant ; whereupon

*Resolved*, That general Spencer be informed, in answer to his letter of the 20th May, that Congress confirm the appointment by him of William Peck, Esq; deputy adjutant general



neral to the militia and state troops of Rhode-Island, kept in continental pay ; that for money to pay the said troops he is to make application to Ebenezer Hancock, esq; at Boston, deputy paymaster general to the troops in the eastern department ; and that, as the quarter-master general has the appointment of all his deputies, application is to be made to him for the appointment of a deputy quarter-master general.

*Resolved*, That Congress approve of general Schuyler's conduct as to captain Whitcomb's corps of rangers, and that 3066 2-3 dollars, the sum the general has paid over the usual bounty allowed by Congress, be charged to the state of Massachusetts Bay ; and that the corps be considered as part of their quota of continental troops :

That Congress approve and ratify general Schuyler's engagements to the men draughted out of the regiments at Ticonderoga to act as artillery men :

That general Schuyler be directed to inform the French gentlemen mentioned in his letter of the 25th June last, that Congress will promote them when they receive authentic intelligence of their meriting promotion by some signal services, and that in the mean time general Schuyler be impowered to grant them such pay as he shall think they respectively deserve, not exceeding that of a captain.

*Ordered*, That in consideration of the scarcity of salt, and the quantity necessary for the supply of the army, the committee of commerce take the most effectual and speedy measures for importing into different parts of this continent large quantities of that article, and that the commissary general of purchases be informed of this order.

Congress took into consideration the report of the board of war respecting the rank of officers in the service of the United States :

*Ordered*, That a copy of the said report be transmitted to general Washington, who is desired to peruse the same and give his sentiments thereon, and objections, if any he has, to Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, July 18, 1777.

A petition from John Riordon, of the island of Santa Croix, who came from thence to Philadelphia in a flag of truce, was

read, praying for leave to go to New-York to obtain from admiral Howe a permit to sail with his vessel.

*Ordered*, That leave be granted him by the board of war, he giving them a parole on the terms by them prescribed.

A letter of the 29th of June from W. Aylett, at Williamsburg, was read :

*Ordered*, That the president inform Mr. Aylett that Congress approve of his giving colonel Braxton the price he agreed with him for the 3000 barrels of flour.

A letter and memorial from Mons. du Coudray was read :  
*Ordered* to lie on the table.

*Resolved*, That three gentlemen, not members of Congress, be appointed to conduct the business of the board of war, under the direction of the present board :

That Tuesday next be assigned for appointing the said gentlemen.

A petition from James Le Mare was read :

*Ordered*, That the same, together with the papers accompanying it, be referred to the committee of commerce.

*Resolved*, That the case of persons applying for leave to go to New-York, be referred to the board of war, who are directed to take such precautions, and lay those to whom they shall think fit to grant liberty under such restrictions, as they judge proper to prevent their giving intelligence to the enemy.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

#### SATURDAY, July 19, 1777.

A letter of the 16th from general Washington at the Clove, and one of the 11th from general Spencer at Providence, were read, giving an account of the capture of major general Prescott :

*Ordered*, That they be referred to the committee of intelligence.

A letter of the 18th from colonel Proctor, with a list of the officers of his corps, was read, requesting, as the said corps is transferred by the supreme executive council of Pennsylvania and taken into the service of the continent, that continental commissions and warrants be granted to the officers in lieu of the commissions formerly issued to them by the council of safety of the said state :

*Ordered*, That commissions and warrants be granted to the said officers, and that they bear the same date as those issued to them by the state.

*Ordered*

*Ordered*, That 1749 50-90 dollars be advanced to captain James Henry, of the 5th Maryland regiment, commanded by colonel Richardson, for the use and to be charged to the account of the said regiment.

*Resolved*, That major general Putnam be directed to cause, without delay, a return to be made to the board of war of the troops under his command.

*Resolved*, That it be referred to the board of war to take into consideration the services performed by lieutenant colonel Meigs, and lieutenant colonel Barton, and the troops under their command, and report what marks of honor it will be proper to bestow upon them for their gallant exploits and meritorious services.

*Ordered*, That the report of the committee appointed to enquire into the conduct of the enemy, with the affidavits annexed, be published in a pamphlet, and that 4000 copies in English and 2000 in German be struck off and distributed through the several states.

*Ordered*, That the committee aforesaid continue their enquiries, and in case they come to the knowledge of other facts well attested before the said publication is made, that they annex them to the pamphlet by way of appendix.

The committee on foreign applications brought in a report, which was taken into consideration, and after debate the determination thereof, at the request of a state, was postponed to Monday next.

The board of war reported, "that they have examined into the matters set forth in the deposition of Thomas McArthur, relative to the purchase of horses by a certain Davis, and although it appears from Davis's confession that the facts as to taking receipts for more than the sums actually paid are true, yet whatever might have been intended by the said Davis, who was of opinion that the horses were intended for the public, it does not appear that Davis was authorized to purchase the said horses for the use of the United States, nor were the horses ever delivered to any person employed in the service of these states."

*Ordered*, That 1600 dollars be advanced to Mr. Thomas Butler, public armourer, for the use of his department, he to be accountable.

The board of war brought in a further report; whereupon

*Resolved*,

*Resolved*, That the memorial of "a committee of the trustees of the college of New-Jersey," which was committed to the board of war, be referred to the quarter-master general, and that he be directed immediately to give such orders on the premises as may for the future prevent any just cause of complaint :

*Resolved*, That the petition of Thomas Belton be dismissed :

*Resolved*, That the farther consideration of the report be postponed.

Congress took into consideration the report of the board of war of the 10th instant ; whereupon

*Resolved*, That the artillery company of the state of North-Carolina be taken into the pay and service of the continent, as part of the quota of the troops to be raised by that state, and that they be ordered to march and join general Washington.

*Ordered*, That the remainder of the report lie for farther consideration.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, to William M'Creigh and Richard Gornell, two deserters from the enemy, for their two muskets, amounting to 28 dollars, delivered to colonel Moylan at Woodbridge, of whom they received one dollar, 27 dollars.

*Ordered*, That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration, whereupon

*Ordered*, That there be advanced to captain Eichelberger, of one of the 16 battalions, commanded by colonel Hartley, 800 dollars, to be charged to the said battalion :

That a warrant be drawn by the president on the deputy paymaster general in the southern department, in favour of major Seth John Cuthbert, for 4000 dollars, to be charged to the state of Georgia :

That a warrant be drawn on John Gibson, esquire, in favor of colonel John White, for 15,000 dollars, for the use of his regiment, to be charged to the state of Georgia :

That a warrant be drawn on John Gibson, esquire, in favour of William Blount, esquire, acting paymaster to the North-Carolina brigade, for 5000 dollars, to be charged to Jacob Blount, esquire, paymaster to the North-Carolina troops :

That



That a warrant be drawn on John Gibson, esquire, in favour of the delegates of Georgia, for 2200 dollars, to be charged to the said state.

That there be advanced to Augustus Mottin de la Balme, 307 45-90 dollars, being for two months advance pay as inspector of cavalry, and for a horse :

That 220 dollars be advanced to captain Valanais, aid to mons. de la Balme, for two months advance pay, and for a horse :

That a warrant be drawn by the president on the commissioner of the loan office in the state of Massachusetts-Bay, in favor of the delegates of South-Carolina, for 100,000 dollars, to be charged to the state of South-Carolina.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *July 21, 1777.*

Mr. Folsom, from New Hampshire, and Mr. Chase, from Maryland, attended and took their seats.

A letter from colonel Johnson, colonel Humpton, and colonel Broadhead, and the other field officers of their battalions of Pennsylvania forces, was read, recommending doctor Jones to be brigade chaplain to those three battalions.

The committee appointed to consider what proposals ought to be made to Mons. du Coudray, brought in a report, which was read, and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

*2d.* A letter of the 18th from general Washington, inclosing a copy of a letter of the 14th to him from general St. Clair at Fort Edward, with the copy of the proceedings of a council of war for evacuating Ticonderoga and Mount Independence, was read :

*Ordered*, That the letter from general St. Clair, with the paper inclosed, be committed to the committee of intelligence and afterwards that the same, together with the letter from general Washington and the papers inclosed, be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T U E S D A Y,

TUESDAY, *July 22, 1777.*

Mr. Henry Laurens, from South-Carolina, and Mr. Cornelius Harnet from North-Carolina, attended and took their seats.

A letter of the 20th from brigadier Forman; one of the 11th from governor Henry; one of the 15th from brigadier general Conway and the field officers of his brigade; one of the 18th from Alexander Mc Donald of Kingsburgh, and one from William Edmeston, major of the 48th regiment, and sundry other officers prisoners at Reading; and one of the 8th, from brigadier general Howe, were read.

*Ordered,* That the letters from A. Mc Donald and the prisoners at Reading, and that from brigadier general Howe, be referred to the board of war:

That the letter from governor Henry be referred to the board of treasury, and that colonel W. Finnie lay his accounts before the said board, who are to proceed to the liquidation and settlement of the said accounts.

A letter of the 5th from doctor Rickman to Mr. Harrison, was laid before Congress and read:

*Ordered,* That it be referred to the medical committee.

The board of war brought in a report, which was read, and after debate

*Resolved,* That the farther consideration thereof be postponed till to-morrow.

The order of the day for appointing three gentlemen to conduct the business of the board of war, was read:

*Ordered,* That the appointment of the said gentlemen be postponed to Tuesday next.

Congress resumed the consideration of the report of the committee on foreign applications; whereupon

*Resolved,* That the chevalier du Portail, colonel of engineers, take rank and command of all engineers heretofore appointed.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

*Ordered,* That there be advanced to mons. du Coudray 2666 2-3 dollars, for the support of himself and the gentlemen who came with him from France; for which mons. du Coudray is to be accountable:

That a warrant issue on the treasurer to transmit from Maryland to the auditor general one million of dollars, for which the said auditor general is to be accountable:

That

That a warrant issue on the auditor general in favor of the board of war, for 200,000 dollars, to be transmitted to the deputy paymaster general for the use of the Northern department, and for which the said deputy paymaster general is to be accountable :

That a warrant issue on the commissioner of the loan office in the state of Pennsylvania for 50,000 dollars, in favor of the auditor general, for which he is to be accountable :

That there be advanced to colonel Augustus Motin de la Balme, inspector general of cavalry, claimed for his and monf. Ricault's expences to America in the service of the United States, 736 dollars, for which colonel de la Balme is to be accountable.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

WEDNESDAY, July 23, 1777.

A letter of this day from captain Thomas Dorsey was read :

*Ordered*, That it be referred to the board of war.

*Resolved*, That the committee appointed to contract for the casting of cannon, be directed to deliver to the board of war and ordnance, all the contracts they have made, together with an account of the advances made and cannon received in consequence of such contracts ; and that they be discharged from proceeding farther in that business, and that the board of war and ordnance be vested with the powers granted to the aforesaid committee, and that they be directed to attend to the execution of the said contracts, and to take such measures as they shall judge proper and effectual for procuring a proper supply of cannon for the land and sea service, and that the marine committee apply to the said board for such cannon as they may want for the continental ships of war under their direction.

The marine committee having laid before Congress a petition from sundry lieutenants in the navy, which had been some time under the consideration of the said committee, and represented, that before any determination was had thereon, a number of the said lieutenants refused to proceed in the execution of their duty until what they call their grievances should be redressed, as more fully appears by a paper now produced to Congress, dated 21<sup>st</sup> of July, directed to John

Barry, esquire, senior commander of the navy in the port of Philadelphia, and signed by twelve of the said lieutenants; viz. Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, James Armitage; and whereas such combinations of officers to extort increase of pay and allowances from the public are of the most dangerous tendency: it is necessary for the public service to make examples of such offenders; therefore

*Resolved*, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, and James Armitage, be dismissed the continental service, and they are hereby dismissed accordingly, and their commissions rendered void and of none effect.

*Resolved*, That the said Robert French, Robert Martin, Robert Hume, John Fanning, Matthew Tibbs, George Batson, Luke Matthewman, William Gamble, Thomas Vaughan, Joseph Greenway, R. Pomoroy, and James Armitage, be, and they are hereby, rendered incapable of holding any commission or warrant under the authority of the United States, and that it be recommended to the several states not to employ any of them in any office civil or military.

The committee on the treasury brought in a report, which was taken into consideration; whereupon Congress came to the following resolutions:

Whereas no continental general officer is stationed in or near the commonwealth of Virginia, which prevents the issuing of money for the public service out of the military chest in the southern department: therefore

*Resolved*, That colonel David Mazon be authorised to draw warrants upon the deputy paymaster general of the said department for public services arising in the said commonwealth, until a general officer be stationed there, always specifying in such warrants the particular uses for which the money so drawn shall be intended or applied for.

*Ordered*, That there be advanced to colonel Louis du Portail, chevalier Derford, 375 dollars: to lieutenant colonel



colonel la Radiere, Baileul, 300 dollars; and to major Gouvion Obry, 250 dollars; for which sums they are respectively to be accountable.

*Resolved*, That the secret committee be impowered to contract with bakers to bake into biscuit for the use of the army the flour which they were ordered to sell:

That the commissary general of purchases be directed to have the flour stored at Yorktown, Lancaster, Downingtown and Valley Forge, in Pennsylvania, and which is in danger of perishing, baked into biscuit for the use of the army.

A letter of the 19th from general Greene, and one of the same date from Joseph Trumbull, were read:

Ordered to lie on the table.

Christopher Ludwig, superintendant of bakers, being sent by general Washington to Philadelphia to procure a number of journeymen bakers; and it being represented by him that he cannot be supplied, as most of them are engaged in the militia,

*Ordered*, That Mr. Ludwig apply to the supreme executive council of the state of Pennsylvania, and that it be recommended to the said council to furnish him with such a number of journeymen bakers out of the militia employed in the service of the continent as he may want.

*Ordered*, That the letter from general Washington to the baron d'Arendt be referred to the committee on foreign applications.

The marine committee brought in a report:

Ordered to lie on the table till to-morrow.

The board of war brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, July 24, 1777.

A letter of the 22d from general Washington at the Clove was read:

*Ordered*, That a copy of the same be sent to the supreme executive council of Pennsylvania.

A petition of Thomas Vaughan was read, wherein he declares that he did not sign the paper addressed to John Barry, esq;

*Ordered*, That it be referred to the marine committee.

A petition from Joseph Philbrick was read :

*Ordered*, That the same, together with the papers inclosed and therein referred to, be committed to the board of treasury.

*Ordered*, That the letter from general Washington be referred to the board of war, and that they be directed to confer with the executive powers of Pennsylvania, and take immediate and effectual measures to carry into execution the views and wishes of the general.

Mr. Livingston, one of the committee sent to camp, being returned laid before congress a letter from general Washington to the said committee, which was read and referred to the board of war.

A letter of the 23d, from brigadier Forman was read, informing that the enemy's fleet sailed yesterday morning from the Hook.

Congress resumed the consideration of the report from the board of war, and after debate

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, To William Smith, copperplate printer, for printing loan office certificates at Baltimore from 16th Nov. 1776, to 17th July 1777, and for fundries he supplied for the use thereof, 23 59-90 dollars :

To Christopher Ludwig superintendant of bakers, for fundry expences incurred in the said service, and for his pay for three months, ending the 3d July, 737 36-90 dollars :

*Ordered*, That the same be paid.

A petition from Thomas Bramal and one from Robert Towers were read :

*Ordered*, That the former be referred to the board of war, the latter to the board of treasury.

A petition from Luke Matthewman and the other lieutenants of the navy who were yesterday dismissed the service, and a letter from John Nelson to the marine committee, were read :

*Ordered*, That they be referred to the marine committee.

A petition from the chevalier la Radiere was read :

*Ordered* to lie on the table.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY,

FRIDAY, July 25, 1777.

A letter of the 19th from brigadier Muhlenburgh; one of the 2d from the council of Massachusetts-Bay, and an application of the general assembly of the state of New-Hampshire for a sum of money to redeem the bills issued by that state, were read:

*Ordered*, That the application from the general assembly of New-Hampshire be referred to the board of treasury.

Congress resumed the consideration of the report of the board of war, and after debate

*Resolved*, That the farther consideration thereof be postponed.

*Resolved*, That a committee of five be appointed to take into consideration the state of Georgia:

The members chosen, Mr. Laurens, Mr. Walton, Mr. Harrison, Mr. Wilson, and Mr. S. Adams.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That Congress have a just sense of the merit of lieutenant colonel Meigs and the officers and men under his command, who distinguished their prudence, activity, enterprize and valour, in the late expedition to Long-Island; and that an elegant sword be provided by the commissary general of military stores and presented to lieutenant colonel Meigs:

*Resolved*, That Congress have a just sense of the gallant behaviour of lieutenant colonel Barton, of a militia regiment of the state of Rhode Island and Providence Plantations, and the brave officers and men of his party, who distinguished their valour and address in making prisoners of major general Prescott, of the British army, and major William Barrington, his aid de camp; and that an elegant sword be provided by the commissary general of military stores and presented to lieutenant colonel Barton.

*Resolved*, That the board of war be impowered to contract with proper persons to supply the army with beer, cyder, vegetables, soap, vinegar and four crout; and that they be directed to advertise in the several papers, that all persons whom it may suit to supply the army with those articles may make their proposals to the board.

*Resolved*, That general Washington be impowered to encrease the ration of soap according to his discretion:  
That

That so much of general Washington's letter as relates to an auditor's attending the army to settle and adjust accounts before warrants be drawn for payment, be referred to the board of treasury.

That general Washington be impowered to appoint Mr. Robert Erskine, or any other person that he may think proper, geographer and surveyor of the roads, to take sketches of the country, the seat of war, and to have the procuring, governing and paying the guides employed under him; the general to fix the pay of the said geographer, &c. and the allowance that shall be made to the guides.

*Resolved*, That the part of the report respecting a supply of cloathing be re-committed, and that the remainder of the report lie for farther consideration.

The marine committee having represented that the extravagant prices now demanded for all kinds of materials used in ship building, and the enormous wages required by tradesmen and labourers, render the building of the ships of war already ordered by Congress not only excessively expensive, but also difficult to be accomplished at this time, and that it appears by information lately received that some of the frigates have been set on the stocks in improper places: whereupon

*Resolved*, That the marine committee be impowered to put a stop to the building of such of the continental ships of war already ordered by this Congress to be built, as they shall judge proper, and to resume the building of them again when they shall find it consistent with the interest of the United States so to do.

Congress took into consideration a report of the marine committee, on an application of fundry commanders in the navy; whereupon

*Resolved*, That the commanders of continental vessels of war of ten guns and upwards be allowed 5 1-3 dollars per week for subsistence while in domestic or foreign ports:

That commanders of vessels under ten guns be allowed 4 dollars per week for subsistence while in domestic or foreign ports:

That commanders of continental vessels of war of ten guns and upwards be allowed whilst at sea 2 2-3 dollars per week for cabin expences:

That lieutenants, surgeons, captains of marines, and chaplains, be allowed four dollars a week subsistence in domestic ports,



ports, during such time as the ships they respectively belong to are not in condition to receive them on board ;

That the marine committee be impowered to allow such cabin furniture for continental vessels of war as they shall judge proper :

That when agents for the United States, or any persons in authority under them, put passengers on board any continental vessel of war, they shall lay in the necessary stores for their accommodation, to prevent expence and inconvenience to the commanders.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

SATURDAY, July 26, 1777.

A letter of the 25th from general Washington, inclosing a copy of a letter to general Howe, proposing to exchange major general Prescott for major general Lee ; and a copy of a letter of the 22d from general Schuyler ; a letter of the 24th from J. M<sup>c</sup>Kinley, esq; president of Delaware ; were read :

*Ordered*, That so much of general Washington's letter as relates to the calling out militia be sent to the executive powers of Pennsylvania and Delaware :

That the letter from general Washington to general Howe be published.

A letter of this day from colonel Proctor, of the artillery, was read ; whereupon

*Resolved*, That an order be drawn on John Gibson, esq; for 3096 dollars in favour of Matthew M<sup>c</sup>Guire, paymaster to colonel Proctor's regiment, for the use of the said regiment, he to be accountable.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY, July 28, 1777.

A letter of the 25th from general Washington, inclosing one of the 22d from William Franklin, in Litchfield goal, Connecticut ; also another letter without date from general Washington at the Cross Roads, 16 miles from Morristown ; one of the 17th from the council of safety of New-York, at Kingston, with resolutions passed by the said council ; and a letter of the 27th from Mons. du Coudray ; were read.

Congress took into consideration the letter of the 25th from general Washington, and that from W. Franklin, desiring leave to go to New-York to visit his wife, who is in a declining state of health ; whereupon

*Resolved*,

*Resolved*, That a certified copy of the certificate granted by William Franklin, esquire, whilst under a parole, to Robert Betts, be transmitted to general Washington, and that he be desired to inform Mr. W. Franklin, that after such a violation of so sacred a tie as that of honor, Congress cannot think it consistent with the safety of the states to permit him to have an opportunity of conferring with our open enemies under any restriction whatsoever.

*Resolved*, That the board of war be empowered to purchase such powder and military stores offered for sale in any of these states as they may judge necessary for the public service.

*Resolved*, That the marine committee be empowered and directed to provide and get ready, with all possible expedition, ten fire ships, to be under the direction of the commodore commanding in the river Delaware.

The marine committee, to whom was referred the petition of the lieutenants of the ships of war now in the port of Philadelphia, reported, "That they have called in before them the signers of the said petition, who acknowledged in the most explicit manner that the offence for which they were dismissed is highly reprehensible, and could not be justified under any circumstances or on any pretence whatever, and that they were exceedingly sorry for the rashness which betrayed them into such behaviour:" whereupon

*Resolved*. That the said lieutenants be restored to their former rank and command.

*Resolved*, That it be recommended to the executive council of the state of Pennsylvania to call out four thousand of the militia, in addition to those already called forth; and as their service is immediately wanted, that they call forth such as can be soonest collected.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T U E S D A Y, July 29, 1777.

A letter of the 28th from Joseph Trumbull, esq; was read:

*Ordered*, That it be referred to the board of treasury,

*Ordered*, That the letters of the 15th and 23d from J. Mc Kinley, esquire, president of the state of Delaware, be referred to the board of war.

*Resolved*, That an enquiry be made into the reasons of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers who were in the northern department at the time of the evacuation:

That

That a committee be appointed to digest and report the mode of conducting the enquiry.

A letter of the 12th from P. Phillips at Providence, was read, wherein he informs Congress that his infirm state of health obliges him to decline the office of commissary of hides with which Congress honored him; whereupon

*Resolved*, That his resignation be accepted.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, July 30, 1777.

A petition from lieutenant colonel Jotham Loring, was read, setting forth that in the Danbury expedition, in which he was principally engaged, he had a horse killed, and praying that another horse may be granted to him to make up his loss:

*Ordered*, That it be referred to the board of war.

The governor of Virginia having represented, that Robert Smith and Alexander Telfair, two of the gentlemen appointed to audit and settle the accounts of Virginia against the United States, have declined acting,

*Resolved*, That Whitmell Hill and Eaton Haynes, esquires, be appointed in their room, and that they and Wyllie Jones, esquire, or any two of them, be impowered to act.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That the account of William Finney, deputy quarter-master general, for sundries furnished for the use of the quarter-master general's department, amounts to 170,331 35-90 dollars: that he has received from B. Harrison, esquire, deputy pay master general, 154,543 78-90, and for sundry disabled horses, wooden tents and goods sold by him, 10,277 50-90 dollars; and that there is a balance due to him amounting to 5,509 87-90 dollars: that it is the opinion of the board of treasury there be allowed to him for extra services in purchasing cloathing and necessaries, and for issuing them and disposing of such articles as were unfit for use, the sum of 1000 dollars, making in the whole 6509 87-90 dollars: whereupon

*Resolved*, That there be paid to colonel William Finney, deputy quarter-master general for the southern department, 6509 87-90 dollars, being the balance of his accounts with the United States as settled by the commissioners at the treasury office, under the direction of the committee of the treasury, and that the said committee be authorized to discharge the said deputy quarter-master general upon the said account accordingly.

In consequence of an adjustment by the commissioners of claims, the auditor general farther reports,

That there is due, To Robert Jewell, for subsisting prisoners in the new jail, for fire-wood, candles, &c. and for his and his two assistants' pay from the 17th June to the 22d July, 752 83-90 dollars :

*Ordered,* That the said account be paid.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Ordered,* That there be paid to George Clymer, esq; 130 40-90 dollars, for his and Mr. Stockton's expences as a committee of Congress to Ticonderoga between the 27th September and 20th November last :

That there be advanced to colonel Lewis Nicola, of the battalion of invalids, 500 dollars for the use of the said battalion, he to be accountable.

*Resolved,* That there be allowed to the officers of the cavalry 2 2-3 dollars for their trouble and expence in recruiting every non-commissioned officer and private, and purchasing each horse.

*Resolved,* That a warrant be drawn on the managers of the lottery for 45000 dollars in favour of the auditor general, for which he is to be accountable.

*Resolved,* That there be paid to Lewis Casimir de Holtzendorf, retained by Mr. Deane as a lieutenant colonel in the service of the United States, for eight months pay and rations, commencing the 20th November and ending the 20th July, deducting 900 livres which Mr. Deane advanced him, 439 40-90 dollars.

*Resolved,* That there be advanced to lieutenant colonel Holtzendorf the further sum of 120 dollars, for two months pay, commencing the 20th instant.

The marine committee, to whom a petition from Mary Giddens was referred, brought in a report, which was read ; whereupon

*Ordered,* That the sum of 200 dollars be paid to Mary Giddens, widow of John Giddens, a petty officer, killed on board the Alfred in the engagement with the Glasgow man of war, she being entitled to this sum out of the prize money taken by the squadron during commodore Hopkins's cruize ; the cannon and military stores applied to continental use being part of the said prize goods, of which no valuation has been obtained.

Whereas the states of New-Jersey, Pennsylvania and Delaware



were are in danger of an immediate invasion from the enemy's army, a powerful fleet being daily expected within the capes of Delaware, and there is the strongest reason to suppose that the enemy will endeavour to secure without delay all the cattle, horses and teams which are exposed to the water, in order to subsist their army and facilitate their military operations; and whereas the preventing of this measure is not only highly conducive to the general weal, but will ultimately tend to secure the property of the good people of these states from cruel ravages :

*Resolved*, That it be recommended to the executive powers of the states of Pennsylvania, New-Jersey and Delaware, to cause the horses, waggons, carts, cattle, and other live stock contiguous to the bay and river Delaware, to be removed into the interior parts of the country whenever the arrival of the enemy's forces at the capes shall announce the necessity and propriety of such a measure.

*Resolved*, That all continental officers and officers of militia in continental pay in the said states do afford the said executive powers such aid and assistance in performing this service as they may require.

A memorial from Bryan Leferty was read :

*Ordered*, That so much of the said memorial as relates to an extension of the limits in his parole be referred to the board of war, and that the remainder be referred to the board of treasury.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

*Ordered*, That there be paid to colonel Moses Hazen, 1497 57-90 dollars, for the pay of the field officers and four companies, of which his battalion then consisted, from the 18th of June to the 1st of November :

That there be paid to Isaac Guion, esq; paymaster to the 9th battalion of continental troops raised in North-Carolina, on account of the pay of the said battalion, 2500 dollars, for which he is to be accountable :

That there be paid to Isaac Guion, agent for John Spicer, paymaster of the second battalion of continental troops raised in North Carolina, on account of the pay of the said battalion, 3500 dollars, for which the said paymaster is to be accountable :

That there be paid to Isaac Guion, agent for James Spicer, paymaster of the 5th battalion of continental troops raised in

North Carolina, on account of pay for that battalion, 5000 dollars, the said paymaster to be accountable :

That there be paid to Richard Bradley, paymaster to the 1st battalion of continental troops raised in North Carolina, commanded by colonel Thomas Clarke, for one month's pay of the said battalion, 2000 dollars, the said paymaster to be accountable :

That a warrant be drawn on the continental treasurer at Baltimore in favor of Stephen Stewart, for the use of the secret committee, 10,666 2-3 dollars, and to be charged to the secret committee :

That 40,000 dollars be paid to Cornelius Sweers, deputy commissary of military stores, and that the same be charged to colonel B. Flower, the commissary general of military stores.

The committee appointed to take into consideration the state of Georgia, brought in a report, which was read :

*Ordered*, To lie on the table for consideration.

*Resolved*, That major general St. Clair, who commanded at Ticonderoga and Mount Independence, be and he is hereby directed forthwith to repair to head quarters.

The several matters to this day referred being postponed adjourned to ten o'clock to-morrow.

THURSDAY, July 31, 1777.

A letter of the 30th from general Washington at Coryell's ferry ; one of the 30th from brigadier Caesar Rodney at Dover, and one of the same date from H. Fisher at Lewistown, informing that the enemy's fleet appeared in the offing about four leagues from the light house ; were read.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That it be recommended to the executive council of the state of Pennsylvania, forthwith to make prisoners such of the late crown and proprietary officers and other persons in and near this city as are disaffected or may be dangerous to the public liberty, and send them back into the country, there to be confined or enlarged upon parole as their characters and behaviour may require :

That it be recommended to the said executive council to remove under guard all the state prisoners in the goal of this city to some safe place back into the country, and  
that

that they cause the guards to be doubled until the prisoners can be removed :

That it be recommended to the said executive council immediately to order two companies of militia to strengthen the guard over the prisoners at Lancaster, and also two companies of militia to guard the prisoners at Yorktown.

*Ordered*, That 100,000 dollars be advanced to the supreme executive council of the state of Pennsylvania for public service, the said state to be accountable.

*Resolved*, That the militia of the states of New Jersey, Pennsylvania, Delaware and Maryland be immediately called forth to repel any invasion of the enemy in the said states.

*Ordered*, That 80,000 dollars be advanced to the continental navy board in Pennsylvania for public service, the said board to be accountable.

*Resolved*, That the continental navy board be impowered and directed to take such measures as they judge necessary and expedient for securing the continental vessels, that cannot be employed in the defence of the river, and also for securing the continental property afloat in the river.

Whereas the Marquis de la Fayette, out of his great zeal to the cause of liberty, in which the United States are engaged, has left his family and connections, and at his own expence come over to offer his service to the United States without pension or particular allowance, and is anxious to risk his life in our cause :

*Resolved*, That his service be accepted, and that in consideration of his zeal, illustrious family and connections, he have the rank and commission of major general in the army of the United States.

A letter of this day from colonel S. Moylan ; one of the 25th from general Washington, introducing Monf. d'Avoux to the notice of Congress ; one of the 8th from governor Henry of Virginia ; one of the 27th from colonel Gibson at Alexandria ; one of the 28th from J. M'Kinly, president of Delaware ; and a letter and memorial from doctor Morgan, were read :

*Ordered*, That the letters from president M'Kinly, brigadier Rodney, governor Henry, and colonel Gibson, be referred to the board of war ; that the letter from general Washington, with the papers inclosed, be referred to the committee

committee on foreign applications, and the memorial of doctor Morgan to the medical committee.

Congress took into consideration the report of the board of war of the 24th; whereupon

*Resolved*, That it be recommended to the executive authorities of the United States to divide their respective states into districts, and to appoint a proper person in each district to recruit men to fill up the regiments raised in such state; that they take good security of the person so appointed for the faithful discharge of his duty and rendering just accounts of all public monies that shall come to his hands; and that they allow for each able bodied recruit so raised, who shall enlist for three years or during the war, the sum of eight dollars, in full for his trouble and expence; that, where no provision for securing deserters has already been made by the laws of the state, they give to each person so appointed full power to take up and secure all deserters that shall come within their respective districts, and where force is necessary for this purpose, that they direct the officers of the militia to give such assistance as shall be required; that they allow him the sum of five dollars for every deserter so taken up and secured, in full for his trouble and expence therein; and for the encouragement of men to enter the service, they shall have liberty at the time of their enlistment to make choice of the regiment, troop or company in which they will serve, provided such regiment, troop or company is not full; if it is, they may chuse any other regiment, troop or company which is not full, which shall be entered against their names and returned to the officer appointed to receive such recruits, who shall, at the time they are sent to join their corps, transmit the same to the general or commanding officer.

*Resolved*, That it be recommended to the executive authorities of the United States to appoint convenient places of rendezvous in their respective states for receiving recruits and deserters, and that they transmit to general Washington, with as much expedition as possible, the names of such places of rendezvous, in order that proper officers may be sent to receive recruits and deserters.

*Resolved*, That general Washington be directed to order all continental officers now absent from their corps forthwith to join them, except only such as the general shall think



think necessary to receive recruits and march them to the army.

*Ordered*, That the two first articles in the requisition of Mons. du Coudray of the 27th instant be referred to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, August 1, 1777.

A letter of 31st July from general Washington at Coryell's ferry; one of the 8th April from S. Deane recommending the viscompte Mouroy; one of the 30th July from brigadier J. Dagworthy; and a memorial from colonel Hazen; were read.

*Resolved*, That a committee of three be appointed to examine the letters that have passed between the committee of secret correspondence and Mr. Deane, and report thereon to Congress, and that the committee meet at the office of the committee for foreign affairs:

The members chosen, Mr. S. Adams, Mr. Wilson, and Mr. Laurens.

A letter from the baron de Kalb was read:

*Ordered*, That it be referred to the committee on foreign applications.

Congress resumed the consideration of affairs in the Northern department; whereupon

*Resolved*, That major general Schuyler be directed to repair to head quarters:

That general Washington be directed to order such general officer as he shall think proper to repair immediately to the Northern department, to relieve major general Schuyler in his command there:

That brigadiers general Poor, Patterson, and de Roche Fermoy be directed to repair to head quarters.

*Resolved*, That the committee to be appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the officers who were in the Northern department at the time of the evacuation, consist of five:

The members chosen, Mr. Laurens, Mr. J. Adams, Mr. Dyer, Mr. Roberdeau, and Mr. Folsom.

Congress took into consideration the report of the committee on the state of Georgia; whereupon

*Resolved*,

*Resolved*, That one million of dollars be immediately struck and emitted under the direction of the board of treasury, for the purpose of redeeming the certificates and bills of credit issued by the state of Georgia for the use of the United States, and for supporting the continental forces in that state; that 400,000 of the said dollars be sent to the government of the said state, for sinking or redeeming the said certificates or bills of credit: that a deputy paymaster general be appointed in the said state of Georgia, and the remaining 600,000 dollars sent to him for the use of the continental forces.

That the quartermaster general be directed to appoint a deputy quartermaster general in the said state, and that he be directed to use his utmost endeavours to procure tents and other essential articles for the use of the troops there without delay.

That the clothier general be directed to appoint an agent in the said state, for the purpose of supplying the troops there with cloaths: that the committee of commerce be directed to order a supply of cloathing and other necessary articles for the use of the troops in the said state:

That a deputy commissary general of purchases and a deputy commissary general of issues of provisions be appointed in the said state:

That brigadier general Howe be directed to send a general officer to relieve brigadier general McIntosh in his command in Georgia, and that he assign some other command to brigadier general McIntosh.

That the commanding officer in the said state for the time being be directed, as he shall think it proper, to establish a post in the southern part of the said state at the most convenient and healthy situation:

That three persons in the state of South-Carolina be appointed to audit and settle the public accounts in Georgia, and that the auditor general be directed to acquaint them with the method adopted for settling public accounts:

*Ordered*, That to-morrow be assigned for nominating, and Monday next for appointing the officers mentioned in the foregoing resolutions.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *August 2, 1777.*

A letter of this day from Charles Stewart and W. Buchanan was read.

A memorial from Isaac Jones, in behalf of himself and the owners, marines and mariners of the private sloop of war called the Retaliation, was read :

*Ordered*, That it be referred to the committee on appeals.

A letter of this day from Joseph Trumbull at Philadelphia was read, desiring that he may have leave to resign his commission of commissary general, and informing Congress that he cannot consider himself as obliged to hold the office he now acts in longer than the 20th day of this month.

*Resolved*, That all proceedings of Congress, and all questions agitated and determined by Congress, be entered on the journal, and that the yea or nay of each member, if required by any state, be taken on every question as stated and determined by the house.

*Resolved*, That Monday next be assigned for appointing officers in the commissary's department.

*Resolved*, That a committee of five be appointed to consider the state of affairs in the Northern department :

The members chosen, Mr. Laurens, Mr. Wilson, Mr. J. Adams, Mr. Duane, and Mr. Law.

*Ordered*, That the committee confer with general Washington and report as soon as possible.

A letter of the 2d from J. Mc Kinley, president of Delaware, was read ;

*Ordered*, That it be referred to the board of war.

*Ordered*, That a warrant for 100,000 dollars be drawn on John Lawrence, esquire, commissioner of the loan office in the state of Connecticut, in favor of Joseph Trumbull, esq; for the public service, he to be accountable.

A letter of the 28th of July from governor Trumbull of Connecticut was read :

*Ordered*, That it be referred to the committee on the Northern department.

The committee for foreign affairs laid before Congress sundry letters, which were read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SUNDAY, *August 3, 1777.*

A letter of the 24th of July, from general Schuyler at Moses Creek, four miles below fort Edward ; one of the 27th of the same month from major general Arthur St. Clair, at the same place ; were read.

The committee on the state of the Northern department brought in a report, which was taken into consideration ; whereupon

*Resolved*, That general Washington be directed to order the general whom he shall judge proper to relieve general Schuyler in his command, to repair with all possible expedition to the Northern department, giving him directions what numbers of the militia to call forth from the states of New-Hampshire, Massachusetts-Bay, Connecticut, New-York, New-Jersey and Pennsylvania :

That notice be immediately sent to the executive powers of the said states, and that they be earnestly requested to get the militia in those parts of their respective states most contiguous to the Northern department, ready to march at a moment's warning, and to send with all possible expedition such parts of them as the general commanding in the Northern department shall require, to serve till the 15th of November, if not sooner relieved by continental troops, or dismissed by the commanding officer of the department, and be intitled to continental pay and rations :

That the commanding officer in the Northern department have discretionary power to make requisitions on the states aforesaid from time to time for such additional numbers of the militia, to serve in that department, as he shall judge necessary for the public service.

Whereas it is represented to Congress that general Washington is of opinion that the immediate recal of all the brigadiers from the Northern department may be productive of inconvenience to the public service :

*Resolved*, That the order of Congress of the first day of this month, respecting the said brigadiers, be suspended until general Washington shall judge it may be carried into effect with safety.

*Ordered*, That the letter from B. Franklin and S. Deane to lord Stormont, and the depositions therein referred to, which were among the papers read yesterday, be published :

That the committee for foreign affairs extract and lay before



before Congress, to-morrow, such other parts of the said letters and papers as they judge proper for publication.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

MONDAY, *August 4, 1777.*

A letter of the 3d from general Washington was read :

*Ordered*, That it be taken into consideration at one o'clock.

A letter of the 23d of July from William Sever, esquire, president of the council of Massachusetts-Bay, with a list of the troops raised by that state ; one of the 26th of July from Elisha Avery, in which he begs leave to decline accepting the office of deputy commissary general of issues ; one of this day from R. Bache ; a memoire from Monsi. du Coudray ; a memorial from Christopher Ludwig ; and a letter of the 25th of July from brigadier de Roche Fermoy ; were read :

*Ordered*, That so much of the letter from the council of Massachusetts-Bay as relates to money, be referred to the board of treasury and the remainder to the board of war ; that the letter from Mr. Bache be referred to the board of treasury ; that the memoire from Monsi. du Coudray, the memorial from Christopher Ludwig, and the letter from brigadier de Roche Fermoy, be referred to the board of war.

*Resolved*, That a committee of three be appointed to inquire into and report the number of musquets and field pieces, and the quantity of soldiers cloathing imported or manufactured or purchased for the use of the army, the time of importation and the place, and the persons to whom delivered, together with the number of arms in the several magazines under the care of the board of war, the number in the stores of the commissary general of military stores and in the hands of the continental troops, and what number has been lost or condemned, and that the committee have power to send for persons and papers :

The members chosen, Mr. Chase, Mr. Gerry, and Mr. Vandyke.

The committee, to whom the petition of Daniel Bucklin and the memorial of Isaac Jones were referred, brought in a report, which was taken into consideration ; whereupon

M m 2

*Resolved*,

*Resolved*, That Joseph White, commander of the privateer Revenge, appear before the committee of appeals within forty days after a copy of the petition of Daniel Bucklin and of this resolution is served on the said Joseph White, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the petition should not be granted.

*Resolved*, That William Dennis, commander of the privateer sloop called the America, appear before the committee of appeals within forty days after a copy of the memorial of Isaac Jones and of this resolution is served upon him the said William Dennis, the agent, or one of the owners of the said privateer, to shew cause why the prayer of the said memorial should not be granted.

A motion was made, "that a committee be appointed to revise the regulations of the commissary's department, *so far as respects the appointment of officers*; that they confer with general Washington on the subject, and report such alterations as they may judge necessary."

A motion was made for postponing the consideration thereof;

Passed in the negative.

It was then moved to amend the motion by striking out "the appointment of officers," and inserting "the salaries to be given and the oaths to be taken by persons employed in the issuing department:" Passed in the negative.

It was then moved to strike out the words "*so far as respects the appointment of officers*;"

Passed in the negative.

The question being put on the original motion,

Passed in the negative.

Congress took into consideration the letter from general Washington, wherein he wishes to be excused from making the appointment of an officer to command the northern army; whereupon

*Resolved*, That Congress proceed to the election—

The ballots being taken,

Major general Gates was elected by the vote of eleven States.

*Resolved*, That general Washington be informed of this appointment, and that he be directed to order general Gates to repair with all possible expedition to the northern department to relieve major general Schuyler.

*Ordered*, That the remainder of the letter from general Washington

Washington be referred to the committee on the Northern department.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

TUESDAY, *August 5, 1777.*

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, To major William West, for his pay and rations as a captain in the 3d Pennsylvania regiment, from 1st September to 25th October 1776, and for his pay and rations as major from 25th October 1776, to 13th July 1777, 540 56-90 dollars:

To Cornelius Robinson, for his services as an express from brigadier Dagworthy to this place, and for the hire of horses pressed on the road and his expences, 34 30-90 dollars:

To William Hurrie, for his attendance as door-keeper to Congress, for candles, &c. which he bought between 1st May and 31st July, and for 9 days attendance, omitted in his last account, 90 72-90 dollars:

*Ordered,* That the said accounts be paid.

The board of treasury brought in a report, which was taken into consideration; whereupon

*Ordered,* That 2000 dollars be advanced to John Cheesbrough, paymaster of the 6th regiment of North-Carolina continental troops, for the pay of the said regiment, the said paymaster to be accountable:

*Ordered,* That the same allowance be made to Bryan Lefferty, one of the hostages from Tryon county for the good behaviour of the inhabitants of the said county, as is ordered by Congress to be made to the Mae Donalds, and that 257 30-90 dollars be paid to Mr. Lefferty accordingly, in full for his subsistence to the 1st instant inclusive.

*Ordered,* That there be advanced to monf. du Coudray, for the use of the following gentlemen, who came over with him to America—

Captain Rogers and captain Fleury, each 200 dollars:

Captain Le Brun, captain Vareigne, and captain Toufard, each 250 dollars;

Captain Loyaute and captain Pierre, each 200 dollars:

Lieutenant Le Blanc 250 dollars, and lieutenant Matthio 150 dollars:

Lieutenant Rivau and lieutenant Fonfrede, each 250 dollars:

Lieutenant

Lieutenant Ganot 150 dollars, and lieutenant Matigni, 250 dollars :

Lieutenant Coyete, lieutenant Parisy, lieutenant Begard, each 100 dollars :

Lieutenant Pommereul and lieutenant Boshard, each 150 dollars :

Amounting in the whole to 3600 dollars, to be charged to account of mons. du Coudray, being advanced on his application.

*Resolved*, That a commissary of hides be appointed in the room of Peter Philips, esq; who declines acting :

The ballots being taken,

George Ewing was elected.

*Resolved*, That Thursday next be assigned to take into consideration the propriety of establishing a court of appeals.

Congress proceeded to the election of officers in the commissary's department, and the ballots being taken,

William Buchanan, esq; was elected commissary general of purchases.

*Resolved*, That the election of other officers be postponed till to morrow.

*Resolved*, That a committee of three be appointed to take into consideration the letter from B. Franklin and S. Deane, esqrs; to lord Stormont, and the depositions therein referred to and to report thereon :

The members chosen, Mr. Witherspoon, Mr. Chase, and Mr. Duer.

A deposition of John Barret, first lieutenant of the armed brig Raleigh, late commanded by Edward Travis, esq; fitted out by and belonging to state of Virginia, was read :

*Ordered*, That it be referred to the foregoing committee.

The committee on foreign applications brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the chevalier de Failly have the rank and pay of major in the army of the United States.

The committee returned from camp brought in a report, which was read.

Congress took into consideration the report of the board of war of the 25th July ; whereupon

*Resolved*, That captain Dorsey's resignation be accepted.

The committee on the northern department, to whom  
general



general Washington's letter was referred, brought in a report, which was taken into consideration; whereupon

*Resolved*, That the commanding officer in the Northern department be directed to apply to the executive powers of the respective states of New Hampshire, Massachusetts-Bay, Connecticut, New-York, New-Jersey, and Pennsylvania, for such a number of their respective militia as he shall judge sufficient to reinforce the army under his command:

That such militia be intitled to continental pay and rations, and be continued in service until the last day of November next, unless sooner relieved by continental troops or discharged; and that it be earnestly recommended to the executive powers of the said states to exert their most vigorous efforts in complying with the requisition of the said commanding officer without delay, that a speedy and effectual stop may be put to the progress of the enemy in that quarter.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

W E D N E S D A Y, *August 6, 1777.*

A letter of this day from general Washington was read.

A letter from the continental navy board was read, whereupon

*Resolved*, That John Rodeg be appointed a second lieutenant in the navy of the United States.

Whereas major general Gates, by virtue of the power and authority to him given and granted by Congress, did, on the first of May last, grant to Louis Jean Baptiste Chambaron d'Antignac, the commission of captain in the army of the United States:

*Resolved*, That a continental commission be granted to him the said Louis Jean Baptiste Chambaron d'Antignac, in lieu of the warrant given to him by major general Gates.

A memorial from mons. du Coudray was read:

*Ordered*, That it be dismissed

A letter of the 5th from Henrich Klean was read:

*Ordered*, to lie on the table.

*Resolved*, That John M Coomb of Princeton be authorized to act as quartermaster at that place for such detachments of the army as may be passing that way, until the quartermaster general shall give further directions on this subject; and that he take care that no damage be done to the college at that place.

*Resolved*,

*Resolved*, That major general Gates inform those states to whom he shall apply for militia, that Congress think it imprudent to adhere to settled quotas which ought to be called forth from each particular state.

Congress proceeded to the appointment of a deputy commissary general of purchases, a deputy commissary general of issues, and a deputy pay master general of Georgia; whereupon

*Resolved*, That James Roe, esquire, be commissary general of purchases; John Bohun Garardeau, deputy commissary general of issues; and Joseph Clay, deputy paymaster general in Georgia.

*Resolved*, That general R. Howe be directed to order brigadier M<sup>r</sup> Intosh to repair with all expedition to head quarters, where his service is necessary.

*Resolved*, That the sum of four thousand dollars be paid to the officers and men on board every fire ship in the river Delaware, and to the officer and crew of any chain of fire rafts which shall actually set on fire and destroy any one of the enemy's ships of war of twenty guns and upwards; and three thousand dollars for every ship or vessel of war under twenty guns, and fifteen hundred dollars for every transport; the proof of the execution done to be certified by the commodore or commanding officer, or by the oath of such person or persons as may have been witnesses to the fact.

*Resolved*, That the rewards aforesaid shall be divided in the following proportions; one fourth to the captain or commander, one seventh to the lieutenant, and the remainder to the crew, to be equally divided among them.

A petition from John Green and Peter Knight was read, praying that they may have leave to enter an appeal against a sentence of a court of admiralty for the state of Georgia on the 20th day of December last, on the libel John White, &c. v. the sloop Polly:

*Ordered*, That it be referred to the committee on appeals.

Congress proceeded to the election of officers in the commissary's department, and the ballots being taken,

Ephraim Blaine, esquire, was elected deputy commissary general of purchases, in the room of Mr. Buchanan:

Archibald Stewart, esquire, deputy commissary general of issues, in the room of Mr. Hoops, who has resigned:

James Blicher, esquire, deputy commissary of issues, in the room of Mr. Avery resigned.

*Resolved*, That in case Mr. Blicher decline the office the commanding officer in the Northern department be authorised

to appoint another person in his stead, and inform Congress thereof.

*Resolved*, That another deputy commissary general of issues be appointed for the Eastern department: the ballots being taken, Samuel Gray, esquire, was elected.

*Resolved*, That the appointment of a deputy commissary general of purchases, in the room of Mr. Wadsworth, be postponed till to-morrow.

The committee on the treasury brought in a report, whereupon

*Ordered*, That there be advanced to William Palfrey, esq; paymaster general, five hundred thousand dollars, for the use of the army, he to be accountable:

That there be advanced to Richard Bache, esquire, postmaster general, 2000 dollars, for which he is to be accountable:

That a warrant issue in favour of the board of war for 300,000 dollars, to be transmitted to Jonathan Trumbull, esq; deputy paymaster general in the Northern department, for the use of the said department, he to be accountable:

That a warrant issue from the president on the commissioner of the loan office in the state of Massachusetts-Bay, in favor of William Severs, esquire, president of the council of the said state, for 30,000 dollars, for building a magazine, laboratory and barracks in that state, agreeable to the order of Congress, for which the said council is to be accountable:

That there be paid to Richard Bradley, esquire, paymaster of the 3d battalion of continental troops raised in North Carolina, 3500 dollars, he to be accountable:

That there be paid to John Taylor, paymaster of the 8th battalion of continental troops raised in North-Carolina, 1000 dollars, for which he is to be accountable:

That there be advanced to doctor William Shippen, director general of the hospital, 50,000 dollars for the use of the hospital, he to be accountable:

That there be advanced to the chevalier de Failly 100 dollars, for two months pay, he to be accountable:

That the president issue a warrant on the commissioner of the continental loan office in the state of Rhode Island, in favor of Daniel Tillinghast, esquire, for 10,059 4-90 dollars in discharge of a bill drawn by Abraham Livingston and William Turnbull, agent for James Mease, esquire, clothier general, on Robert Morris, esq; chairman of the secret committee, and tendered for payment to Congress, dated Boston, June 16th, 1777; the clothier general to be accountable:

That the president issue a warrant on the commissioner of the loan office in the state of Pennsylvania, in favor of James Mease, esquire, clothier general, for 50,000 dollars for the use of his department, he to be accountable.

The committee farther report, "that they have conferred with the managers of the states lottery, and find that a considerable number of tickets remain unfold in the hands of the managers as well as their agents in the several states; that from the present state of the lottery and the uncertainty of the enemy's intentions, the committee recommend the drawing to be postponed till the 6th day of November next, and that a further quantity of tickets be transmitted to the several states; and that it be recommended to their respective executive powers to give all the assistance they can to expedite the sales thereof."

*Resolved*, That Congress agree with the committee, and that the board of treasury take measures accordingly.

*Resolved*, That the commissary general of musters be hereafter allowed the pay and rations of a colonel; that the pay of his deputy commissaries be encreased to 60 dollars a month, and that of the muster masters to 45 dollars per month.

*Resolved*, That the several mustermasters be directed to omit making returns to the paymaster and deputy paymasters general.

On motion it was resolved as follows:

Whereas Joseph Trumbull, esquire, having resigned his commission of commissary general of purchases under the new regulations, has signified his intentions of discontinuing his service under the former establishment on the 20th day of the present month; and whereas the commissaries general of purchases and issues, who are to succeed him in office, may not be prepared with their respective assistants to proceed in the business at the time aforesaid, and a failure of supplies may be attended with the most dangerous consequences:

*Resolved*, That Mr. Trumbull, with the officers under him, be desired to continue in the business of supplying the army under the former establishment, until the commissaries general of purchases and issues shall signify their readiness to proceed therein under the new regulations, which they are required to do as speedily as possible:

It was then moved, "that general Washington be authorised, during the present campaign, to remove such officers and make such appointments in the commissary's department, as he shall judge necessary, reporting their names to Congress; and if in carrying into execution the resolutions aforesaid any alterations



alterations shall appear to him essential to the service, he is further authorised to propose the same to Congress ;" and on the question put, passed in the negative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *August 7, 1777.*

A letter of the 7th from general Washington was read, inclosing a copy of a letter of the 1st from general Schuyler, at Saratoga, and sundry other papers :

*Ordered*, That copies thereof be sent to major general Gates.

*Resolved*, That major general Prescott be retained as a pledge for the good treatment and release of major general Lee, and that he be treated as nearly as circumstances will admit in the same manner as the enemy shall treat the officer last mentioned.

*Resolved*, That general Washington be authorized to negotiate the exchange of prisoners with the enemy in such manner and on such terms as he shall judge expedient, notwithstanding the resolution of Congress respecting lieutenant colonel Campbell and the five Hessian field officers.

*Resolved*, That the pay of the deputy commissaries general of issues be encreased to 100 dollars a month, and the pay of the clerks to the commissaries general to 50 dollars a month.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, *August 8, 1777.*

A letter of the 4th from governor Johnson at Annapolis, inclosing a letter from Darby Lux, was read ; whereupon Congress came to the following resolution :

It having been represented to Congress that Darby Lux, Amon Butler, Nicholas Haite, Thomas James, and Nathaniel Owings, of Baltimore county in the state of Maryland, gentlemen, have in company undertaken to open a lead mine and to erect works for smelting the ore, and that the inhabitants in the neighbourhood have refused to permit them to proceed in the prosecution of their design, without credentials from Congress that they are friends to the United States ; and it appearing to Congress by the representation of the go-

vernor and delegates of Maryland, that the said gentlemen are faithful friends to the American cause.

*Resolved*, That it be recommended to the inhabitants in the neighbourhood of the lead mine aforesaid to permit the same to be worked by the above gentlemen, and to give them every encouragement in the prosecution of a work of such public utility, and from which a supply of lead may be drawn for the service of these states.

The committee of commerce, to whom the petition of James Le Maire was referred, report "that they enquired into the merits of his claim on the United States, and are of opinion, that the said James le Maire and his sloop the Mary were in the continental service at the time she was taken and burnt by the enemy in Chingotegue inlet, and that he ought to be paid a reasonable value for the said sloop, with such reasonable charges and expences as may have arisen to him in consequence of this misfortune;" whereupon

*Resolved*, That the committee of commerce be empowered to make the said James le Maire a reasonable and just compensation for his losses in the public service, and to dispatch him on the business in which he was employed by the secret committee.

A letter of the 3d from brigadier general Scott to B. Harrison, esquire, was laid before Congress and read ;

Ordered to lie on the table.

A petition from William West, major, James Mc Henry and Hugh Hodge, surgeons of the 4th and 6th regiments of Pennsylvania forces, commanded by colonels Magaw and Cadwallader, prisoners on parole, praying to be informed whether as continental officers holding commissions only revocable by this or a future Congress, they are not entitled to pay while on parole, as well as when in the hands of general Howe.

Ordered to lie for consideration till Monday next.

A letter of 24th March from Recules de Basmeireen Raimbeaux, of Bordeaux, was read, and referred to the committee of commerce.

A letter of the 24th July from brigadier general Hand at fort Pitt, to Thomas Wharton, esquire, president of the council of Pennsylvania, with sundry papers inclosed, was laid before Congress and read :

*Ordered*, That the same be referred to the board of war.  
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The medical committee, to whom the memorial of doctor J. Morgan was referred, brought in a report.

A motion was made, That a new commission be made out and sent to major general Benedict Arnold, giving him the rank of major general in the army from the 19th February last :

To this it was moved to add, " On account of his extraordinary merit and former rank in the army :

Question put, passed in the negative.

Question was then put on the first motion and passed in the negative.

At the request of Rhode-Island the yeas and nays were taken as follows :

Y E A S.	N A Y S.	N A Y S.
Mr. Folsom,	Mr. S. Adams,	Mr. R. Morris,
Mr. Merchant,	Mr. J. Adams,	Mr. Wilton,
Mr. Dyer,	Mr. Gerry,	Mr. Clymer,
Mr. Duane,	Mr. Lovell,	Mr. Vandyke,
Mr. Roberdeau,	Mr. P. Livingston,	Mr. Chase,
Mr. Walton.	Mr. Duer,	Mr. W. Smith,
	Mr. Serjeant,	Mr. Burke,
	Mr. Elmer,	Mr. Harnet.

A memorial from J. Jay and Gouverneur Morris was read :

*Ordered*, That it be referred to a committee of three ;

The members chosen, Mr. Chase, Mr. Wilton and Mr. Serjeant.

*Ordered*, That the committee immediately sit on the business, and that they confer with general Washington and the memorialists.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due,

To major Samuel Nichols, for himself and a detachment of three companies of marines which he commanded on artillery duty, for which they were to receive additional pay, viz. captain Porter's company from the 1st February to 1st July, captain Mullen's company from 1st February to 1st March, and captain Deane's company from 1st February to 1st April, 895 15-90 dollars :

To William Hurrie, door-keeper to Congress, for a balance of his account, 26 60-90 dollars :

To Allen McDonald, his son and servant, for their allowance as prisoners from 18th September 1776 to 5th August 1777, being 46 weeks, 230 dollars :

To

To Daniel Smith, of the city tavern, for his bill of expenses of Congress on the 4th July last, including a balance of an old account, 729 68-90 dollars; also a bill for materials, workmanship, &c. furnished for the fire-works on the 4th July, 102 69-90 dollars; amounting in the whole to 832 47-90 dollars:

To the rev. John Hart, chaplain to the 6th Virginia regiment, for his extra services in officiating to the 4th and 5th Virginia regiments from 3d November 1776 to 28th April last, being 5 months and 26 days, at 41 60-90 dollars per month, 243 52-90 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That a warrant issue to the treasurer to transmit from Maryland to the auditor general one million of dollars, for which the said auditor is to account.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

#### SATURDAY, *August 9, 1777.*

Congress took into consideration the report of the medical committee on the memorial of doctor John Morgan, wherein they set forth, "that doctor Morgan was appointed director general and chief physician of the hospital in the room of doctor Church, October 17, 1775; that on the 9th of January, 1777, he was dismissed from the said appointment; that though no cause is assigned for his discharge, yet upon enquiry they find that the general complaints of persons of all ranks in the army, and not any particular charges against him, together with the critical state of affairs at that time, rendered it necessary for the public good and the safety of the United States that he should be displaced, and were the reasons of his dismissal; that the doctor's memorial appears to be a hasty and intemperate production; notwithstanding which, as he conceives himself injured, and requests an inquiry into his conduct, they are of opinion that he ought to be heard, and that a committee of Congress should be appointed for that purpose:

*Resolved*, That Congress agree to the said report.

The medical committee, to whom was referred the letter from doctor W. Rickman, report, "that as the establishment of the military hospital in Virginia, by a resolution of Congress of the 18th of May 1776, is intirely distinct from and independent of the general establishment of hospitals in  
the



the other states, they are of opinion the same was not affected by the new regulations of the 7th April last, and that doctor Rickman still continues director of that hospital :” whereupon

*Resolved*, That Congress agree to the said report.

*Ordered*, That a copy of the foregoing report and concurrence of Congress be sent to doctor Shippen, and that he be directed to withdraw from Virginia such physicians, surgeons, or assistants as he may have sent thither.

*Resolved*, That the board of treasury be directed to order Mr. Hillegas the treasurer, together with the treasury and printing presses under his care, to remove to Philadelphia as soon as they judge the state and situation of public affairs will admit.

That the board of treasury be directed to take into consideration and report a proper compensation to Mr. Hillegas for his past and future services.

Congress proceeded to the election of a deputy commissary general of purchases in the room of Jeremiah Wadsworth esquire, resigned ; and the ballots being taken,

Peter Colt, esquire, was elected.

A letter of this day from general Washington, with sundry papers inclosed, was read.

*Resolved*, That the board of war be directed to confer with Mr. Boudinot, the commissary of prisoners, and report as soon as possible on the manner in which the prisoners under his charge ought to be treated.

The board of war brought in a report which was taken into consideration ; whereupon

*Resolved*, That such troopers of the North-Carolina light horse under the command of captain Martin Phifer, captain Cosmo Medici, and captain Samuel Ash, as shall enlist for three years or during the war, be furnished with horses and properly accoutred, and that those men, who will not so enlist, return home to North-Carolina under proper officers.

The several matters to this day referred being postponed, adjourned to ten o’clock on Monday.

MONDAY, *August 11*, 1777.

Mr. Harrison, Mr. Joseph Jones, and Mr. F. L. Lee, three of the delegates from Virginia, attending, produced the credentials of their appointment, which were read as follows :

“ Virginia

“ Virginia. In general assembly, the 22d May, 1777.

*Resolved*, That Benjamin Harrison, George Mason, Joseph Jones, Francis Lightfoot Lee, and John Harvie, esquires, be appointed delegates to represent this state in Congress for one year from the 11th August next, they having been chosen for that purpose by joint ballot of both houses. June 26th, 1777. *Resolved*, That Richard Henry Lee, esquire, be appointed a delegate to represent this state in general Congress from the 11th of August next until the 10th day of May following, he having been chosen for that purpose by joint ballots of both houses in the room of George Mason, esquire, who hath declined the said appointment. A copy, John Tazewell, C. H. D.”

A letter of the 4th from general Schuyler, at Stillwater; two of the 9th from general Washington; one from the viscount de Mauroy; one from Mons. de Vrigny; and one from Mons. Valfort, were read.

The marine committee laid before Congress a letter of the 28th July from Isaac Smith, Ebenezer Storer, and William Phillips, commissioners appointed to settle the accounts of the continental agents; which was read, and wherein they set forth “ That they have settled William Bartlett’s account, and find a balance due to him from the states of 15013 60-90 dollars, and to Jonathan Glover, esquire, 55091 47-90 dollars, being the balance of his account; that they would have complied with the orders of the marine committee to pay these balances, but cannot find any person who wants the money in Philadelphia, and as messrs. Bartlett and Glover are in great want of the money in order to settle with the captors, they have advised them to send a person express for this purpose;” whereupon

*Resolved*, That an order be drawn on the commissioner of the loan office in the state of Massachusetts-Bay, in favor of Isaac Smith, Ebenezer Storer and William Phillips, for 70,105 1-6 dollars, for the payment of the balances due to mess. Bartlett and Glover.

*Ordered*, That the letter from general Washington, with the memorial from the board of general officers respecting rations, be referred to a committee of three:

The members chosen, Mr. Wilson, Mr. J. B. Smith, and Mr. W. Smith.

A letter from general Washington was read, relative to the defence of the river Delaware.

A letter of the 9th from Arch. Stewart to Charles Stewart was laid before Congress and read, wherein he mentions "the declining state of his health, and expresses his concern that it is not in his power, on account thereof, to accept of the office of deputy commissary general of issues, and hopes he will not incur blame for not accepting an office, the duties of which he has not the least prospect of being able to perform; whereupon

*Resolved*, That his resignation be accepted, and that to-morrow be assigned for appointing a deputy commissary general of issues.

A memorial from Mons. du Portail was read:

*Ordered*, That it be referred to the board of war.

*Resolved*, That Mons. du Coudray be appointed inspector general of ordnance and military manufactories, with the rank of major general.

*Resolved*, That a committee of four be appointed to define the powers to be granted to and exercised by mons. du Coudray:

The members chosen, Mr. Wilson, Mr. Duane, Mr. Heyward and Mr. S. Adams.

A memorial from Thomas M'Coy and one from James Wilson were read:

*Ordered*, That the former be referred to the board of treasury and the latter to the board of war.

*Ordered*, That the memorial and petition of P. Minis be referred to the board of treasury.

*Ordered*, That the letter from general Washington, respecting the defence of the river Delaware, be referred to the board of war, and that they be directed to carry into execution the general's plan with all possible dispatch.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

TUESDAY, August 12, 1777.

Mr. R. H. Lee attended and took his seat.

A letter of the 9th from general Mifflin and one of the 8th from Mr. J. Hudson were read:

*Ordered*, that they be referred to the board of treasury.

A letter and memorial from count Pulasky was read.

A letter from general Washington to brigadier general Thompson, with sundry papers inclosed, was laid before Congress and read:

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*Ordered*,

*Ordered*, That the same be referred to the board of treasury.

*Resolved*, That four members be added to the board of treasury :

The members chosen, Mr. Laurens, Mr. Folsom, Mr. Harnet and Mr. Dyer.

*Resolved*, That William Molliston be appointed a third lieutenant in the navy of the United States, and commissioned accordingly.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Ordered*, That there be paid to Isaac Guion, acting as paymaster to the 4th and 7th battalions of continental troops raised in the state of North Carolina, 6000 dollars, one half thereof for the use of each of the said battalions respectively, the said paymaster to be accountable :

That a warrant be drawn by the president on John Lawrence, esquire, commissioner of the loan office in the state of Connecticut, in favour of Samuel Downe, esquire, one of the commissioners of accounts, for 600 dollars, for which he is to be accountable :

*Resolved*, That the remainder of the report, together with the resolutions passed the 1st instant respecting the emission and appropriation of one million of dollars, be recommitted to the board of treasury.

At the request of Mr. Heyward to be excused from serving on the committee of commerce,

*Resolved*, That he be excused, and that Mr. Laurens be appointed a member of the said committee in his stead.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, To Ezra Patterson, a serjeant in colonel Hart's battalion of flying camp, for his pay from 17th October 1776, to 1st January 1777, being 2 months and 14 days, at 8 dollars a month, 19 60-90 dollars :

To the reverend Mr. M<sup>r</sup> Murdic, for his extra services in officiating as chaplain to colonel Jacob Clootz's battalion, from 18th October 1776, to 1st January 1777, 2 months and 13 days, at 20 dollars a month, 48 60-90 dollars :

To the reverend Mons<sup>r</sup>. Lotbinier, for one month's pay and rations as chaplain, from 10th July to 10th instant, 48 dollars, also for the difference of pay which took place 11th April  
last



last in the pay of chaplains, he having received only at the rate of 33 1-3 dollars per month, whereas the pay was 40 dollars per month, the difference 6 2-3 dollars per month for three months, is 20 dollars :

To brigadier general Weedon, a balance of his contingent account, amounting to 287l. 17s. 6d. of which he received by brigadier general Lewis's warrant at Williamsburg 250l. the balance in Virginia currency is 37l. 17s. 6d. equal to 126 22 90 dollars :

*Ordered*, That the said accounts be paid.

An extract from the minutes of the supreme executive council of Pennsylvania was laid before Congress and read, as follows :

“ In Council, Philadelphia, August 12, 1777. *Ordered*, that information be given to Congress, that the hon. John Penn, esq; late governor of Pennsylvania, and Benjamin Chew, esq; late chief justice, register of wills, and of the governor's council of the same, have been made prisoners agreeable to the recommendation of Congress; that both refuse to sign a parole of any kind; and that Congress be requested immediately to order them to be removed out of this state. Extract from the minutes, Timothy Matlack, Secretary.” Whereupon

*Ordered*, That the board of war give directions for the conveyance of those gentlemen under guard to Frederickburg in Virginia, and that the governor of Virginia be requested to appoint some proper place for the reception of those gentlemen, and to order that they be safely secured and entertained agreeable to their rank and station in life.

Congress took into consideration the report of the committee on the state of the army, and after some time spent thereon

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

### WEDNESDAY, August 13, 1777.

A letter of the 12th from general Washington at the Cross Roads; one of this day from the marquis de la Fayette; and one of the 12th from W. Buchanan, with a list of provisions stored by Joseph Trumbull, esq; were read :

*Ordered*, That they be referred to the board of war.

A motion was made “ that the execution of the order of Congress relative to the removal of John Penn and Benjamin

Chew, esqrs; be suspended till such time as the board of war shall deem essential to the public safety to carry it into execution; and that in the mean while they be authorized, on an application in writing from those gentlemen, to admit them to such paroles as they shall deem necessary to secure the public safety; and the previous question being moved and put, whether that question be now put,

Passed in the negative.

A motion was made as follows. Whereas it is represented to Congress that the hon. John Penn, esq; and Benjamin Chew, esq; who were ordered yesterday to be conveyed by the board of war to Fredericksburg in Virginia, are now willing to give their parole; Ordered, That the board of war take such parole from the said gentlemen as they may think proper, and thereupon that the order of yesterday for their removal to Virginia be suspended:”

The previous question was moved, Whether that question be now put; on which the states were equally divided, twelve being present.

The question was then put on the motion, and the states were divided.

At the request of Maryland and New-Jersey the yeas and nays were called for and are as follows:

## Y E A S.

Mr. Duane,  
Mr. Duer,  
Mr. Morris,  
Mr. Wilson,  
Mr. Clymer,  
Mr. Vandyke,  
Mr. Chase,  
Mr. Middleton,

## N O E S.

Mr. Folsom,  
Mr. Frost,  
Mr. S. Adams,  
Mr. J. Adams,  
Mr. Gerry,  
Mr. Lovel,  
Mr. Marchant,  
Mr. Dyer,

## Y E A S.

Mr. W. Smith,  
Mr. Paca,  
Mr. Harrison,  
Mr. Jones,  
Mr. Burk,  
Mr. Penn,  
Mr. Harnett.

## N O E S:

Mr. Law,  
Mr. Sergeant,  
Mr. Elmer,  
Mr. Roberdeau,  
Mr. J. B. Smith,  
Mr. F. L. Lee,  
Mr. Laurens,  
Mr. Heyward.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

Ordered, That 200 dollars be advanced to the chevalier du Portail, 150 dollars to lieutenant colonel de la Radiere, and

150 to major Gouvion ; for which they are respectively to be accountable :

That 2000 dollars be advanced to Viscount de Mauroy, for himself and his suite, for which he is to be accountable :

That 2000 dollars be advanced to Baron de Kalb, for himself and his suite, for which he is to be accountable :

That 30,000 dollars be advanced to William Buchanan, esq; commissary general of purchases, for the use of his department, he to be accountable :

That a warrant issue for 150,000 dollars in favour of Anthony Butler, agent to major general Mifflin, quarter-master general; for the use of his department, and for which he is to be accountable, agreeable to his application to Congress by letter dated the 9th instant :

That there be paid to Elbridge Gerry, esq; 114 45-90 dollars for the expence of a committee of Congress to the army in this month :

That there be advanced to Jacob Blount, appointed by the state of North Carolina paymaster to the continental troops raised in that state, and to be delivered to William Blount his agent, 2000 dollars for arrears of pay due to the said battalions, incurred while he officiated, and before the appointment of regular regimental paymasters, he to be accountable :

That there be paid to doctor Elmer 35 dollars, for his expences in visiting the hospitals, agreeably to the directions of the medical committee.

*Resolved*, That the remainder of the report be postponed till to-morrow.

The committee on foreign applications brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The board of war brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

#### THURSDAY, August 14, 1777.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, to colonel Lewis Nicola, for the pay of four companies of city guards to the 2d instant, being one month, 2070 50-90 dollars :

To lieutenant colonel Jonathan Jones, his pay as major in the 2d Pennsylvania regiment, from the 25th of December

1776 the 25th of February 1777, being two months at 50 dollars a month, 100 dollars; and for his pay as lieutenant colonel in the said regiment from 25th of February to the 5th of April, 1 month and 9 days at 60 dollars, 78 dollars; the whole amounting to 178 dollars:

To Charles Thomson, for fundries paid for by him to Andrew M'Nair, late door keeper to Congress, to Benjamin Randolph for boxes to hold the papers of Congress, to David Evans for two tables. and for freight and portorage of a box of papers from Baltimore, 56 30-90 dollars:

*Ordered*, That the said accounts be paid.

Congress proceeded to the election of a deputy commissary general of issues, and the ballots being taken,

Robert White, esquire, was elected.

A letter from the honorable John Penn, esquire, requesting Congress to admit him to his parole, and a memorial from B. Chew, esquire, containing the same request, were laid before Congress and read; whereupon a motion was made "that it be

*Ordered*, That the board of war take such parole, from the said gentlemen as they may think proper, and that the order of Tuesday last for their removal to Virginia be superseded;"

An amendment was then moved, after "the board of war" to insert "with the concurrence of the executive council of Pennsylvania;"

Passed in the negative.

At the request of Rhode-Island the yeas and nays were called for as follows:

Y E A S.	N A Y S.	N A Y S.
Mr. Folsom,	Mr. Frost,	Mr. W. Smith,
Mr S Adams,	Mr. J. Adams,	Mr. Harrison,
Mr. Gerry,	Mr. Duane,	Mr. Jones,
Mr. Lovell,	Mr. Duer,	Mr. F. L. Lee,
Mr Marchant,	Mr Morris,	Mr. Burke,
Mr. Dyer,	Mr. Wilson.	Mr. Harnett,
Mr. Law,	Mr. Clymer,	Mr. Penn,
Mr. Sergeant,	Mr. Vandyke:	Mr. Middleton,
Mr. J. B. Smith,	Mr. Chase,	Mr. Heyward,
Mr. Roberdeau,	Mr. Paca,	Mr. Walton.
Mr. Laurens.		

Question being put on the motion,

Resolved in affirmative.

*Resolved*, That the commanding officer in the Northern department be empowered for the term of four months from the date of this resolution, to suspend any officers under his command for mal-conduct and to appoint others in their room till such



such time as the pleasure of Congress can be known concerning the person or persons so suspended ; and that he report to Congress, with as much dispatch as possible, the names of such as he may suspend with the cause of their suspension.

*Resolved*, That it be a standing rule, that every morning after the reading of the public letters and giving orders concerning them, the reports of the board of treasury and the reports of the board of war, if any there are, be immediately taken into consideration.

The board of war brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, August 15, 1777.

A letter of the 11th from H. B. Livingston, with sundry papers inclosed, and one of the 24th of July from governor Henry of Virginia, were read :

*Ordered*, That the former be referred to the board of war, and the latter to the board of treasury.

Congress took into consideration the reports of the board of war ; whereupon

*Resolved*, That the executive authorities of the several states be requested to transmit to Congress accounts of all monies advanced and expences incurred for prisoners of war during their residence in their respective states, and that such accounts be transmitted within the space of 12 weeks after receipt of this notice, or else to be ever thereafter foreclosed.

*Resolved*, That the part of colonel Richardson's letter which relates to Thomas Lightfoot, be sent to the executive council of Pennsylvania, with a request to have him secured.

*Resolved*, That a copy of that part of colonel Richardson's letter which relates to Thomas Cockayne, and George Walton and Thomas Lightfoot, of Suffex county in the state of Delaware, be transmitted to president M'Kinley, and that he be desired forthwith to take order for the apprehension and confinement of the said Cockayne, Walton and Lightfoot ; and that colonel Richardson be ordered to afford every assistance in his power to president M'Kinley and the officers whom he shall employ in this necessary service.

It

It was then moved, "that Peter and Burton Robinson, subjects of the Delaware state, accused of carrying on a criminal correspondence with the enemy, and whom colonel Richardson has seized and sent to Congress, be immediately conveyed to the executive power of the Delaware state :"

Passed in the negative.

*Resolved*, That Peter and Burton Robinson be remanded to the Delaware state whenever president M<sup>c</sup>Kinley shall order or request it.

A motion was made in the following words : "It being represented to Congress that a large majority of the inhabitants of Suffex county in the Delaware state are disaffected, Resolved, that it be recommended to the state of Delaware to pass a law directing any inhabitant of that county charged with treason, misprision of treason, or high and dangerous offences against that state, to be tried in any other county of the state."

Passed in the negative.

*Resolved*, That it be recommended to the president of the Delaware state to order twenty light horse to join colonel Richardson in the county of Suffex, and give him all assistance in their power to execute the directions of the said state, in the room of the two hundred militia ordered there.

Congress took into consideration the report of the board of treasury of the 13th, and thereupon came to the following resolutions :

Whereas the state of Georgia has advanced very considerable sums of money for the pay and subsistence of continental troops employed by the directions of Congress in the defence of that state, and for that and other continental uses emitted bills of credit and certificates, which they are very desirous should be redeemed and cancelled ; and it being just and reasonable that the accounts of such expenditures should be forthwith settled and the balance which shall appear to be due from the United States paid, and that a further provision should be made for supplying the military chest in Georgia with money for the pay and subsistence of the troops stationed in that state for the future :

*Resolved* therefore, That commissioners of accounts be appointed to state and settle all accounts and claims respecting the United States which have arisen or shall arise in the

in North-Carolina, South-Carolina and Georgia, and that they repair without delay to Georgia and examine and adjust all continental accounts with that state or any officers or individuals within the same, and that they be empowered to receive and pay the balances of accounts, as they shall be respectively owing to or from the United States, and report their proceedings to the treasury board, in order to their being laid before Congress and finally confirmed.

*Resolved*, That 400,000 dollars be remitted to the state of Georgia on account of the monies so advanced by that state for the use of the United States; that such sum be paid out of the money hereafter directed to be emitted unless the board of treasury shall be of opinion that it may be sooner spared from the treasury; in which case a warrant shall issue on their application without respect to the said emission: That the warrant shall be drawn on the treasurer at Baltimore, or auditor general, as in the opinion of the board of treasury shall be most convenient, and in favour of the board of war, who are to transmit the money to the said state for the sole purpose of calling in, exchanging, and cancelling all such bills of credit and certificates as have been emitted by that state for the pay and subsistence of the troops of the United States and other continental purposes:

That another warrant shall issue in the manner prescribed by the preceding resolution in favour of the board of war for 300,000 dollars, to be remitted by them to the deputy paymaster general for the pay and subsistence of the continental troops in Georgia:

That if on the settlement of accounts between the United States and the state of Georgia, less shall appear to be due to that state than the sum directed to be transmitted, the surplus shall be paid by the said state into the hands of Joseph Clay, esquire, deputy paymaster general in Georgia, whose receipt shall be a sufficient voucher; but if more shall appear to be due to the said state, the balance shall be paid to the said state by the said deputy paymaster general on the warrants of the commissioners who shall adjust the account.

*Resolved*, That as a fund for the above and other purposes one million of dollars be emitted under the direction of the treasury board and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission now executing, be numbered from

the last number of each respective denomination of that emission progressively, and consist of the following denominations, to wit, 15384 bills of the denomination of three dollars, the like number of four dollars, the like number of five dollars, the like number of six dollars, and the like number of seven dollars respectively, and 15385 of the denomination of two dollars, and the like number of eight dollars, and the like number of thirty dollars respectively :

That all powers and duties of Michael Hillegas, esquire, and of the inspectors of the preps, signers and printers of the said emission now executing, shall extend to the said one million to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

*Resolved*, That all former resolutions of Congress respecting the premises be repealed.

A memorial from Nicholas Garret was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred the petition of Peter Knight and John Green report, " That having heard the argument of council upon the said petition, they are of opinion, from the particular circumstances of the case, that the appeal of the said Knight and Green from the sentence of the court of admiralty for the state of Georgia, in the cause major John White and lieutenant Hardy against the sloop Polly, &c. should be received and heard, notwithstanding the said appeal was not entered within five days, or lodged within forty days, as directed by the resolve of Congress:" whereupon

*Resolved*, That the appeal be received.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, August 16, 1777.

A letter of the 15th from general Washington at the Cross Roads; one of the 10th from general Schuyler at Albany; one of the 7th from colonel G. Morgan at fort Pitt, with the minutes of a treaty held with the Indians; also a letter from brigadier general Hand to the board of war, were read :

*Ordered*, That a copy of the letter from General Washington be sent to the supreme executive council of Pennsylvania,



sylvania, and that they be requested to have the general's views carried into execution with all possible dispatch.

*Resolved*, That a committee of five be appointed to take into consideration the state of the Western frontiers and the Northern department, and report thereon with all convenient dispatch.

The members chosen, Mr. Duer, Mr. R. H. Lee, Mr. Wilson, Mr. J. Adams and Mr. Chase.

*Resolved*, That Monday next be assigned for taking into consideration the articles of confederation.

*Resolved*, That the report of the committee on the treasury on the ways and means of raising supplies for carrying on the war, be referred to a committee of the whole.

*Ordered*, That the letters lately received from the commissioners at Paris be referred to the said committee.

Congress was then resolved into a committee of the whole, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have had under consideration the matters referred to them, but not having come to a conclusion desire leave to sit again :

*Resolved*, That Congress will on Monday next resolve itself into a committee of the whole, to consider farther the ways and means for raising supplies to carry on the war :

*Resolved*, That 300 dollars be advanced to Daniel Joy for public service, he to be accountable :

That 300 dollars be advanced to R. Peters, esquire, secretary of the board of war, for contingent expences, he to be accountable.

The committee on the Western frontiers and Northern department brought in a report, which was taken into consideration ; whereupon

*Resolved*, That general Washington be informed, that, in the opinion of Congress five hundred riflemen, under the command of an active and spirited officer, should be immediately sent into the Northern department, to assist in opposing the incursions of the enemy in that quarter.

The committee report, that they have not had time to consider the whole matter referred to them, and therefore desire leave to sit again :

*Ordered*, That leave be granted.

*Resolved*, That the president and supreme executive coun-

cil of Pennsylvania be requested to give brigadier general Hand such assistance from the militia of the counties of Westmoreland, Northumberland and Bedford, as general Hand may think necessary.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY, *August* 18, 1777.

A letter of the 8th from general Schuyler, with a copy of a letter from general Lincoln; one of the 16th and two of the 17th from general Washington; one of the 6th from S. Hopkins, with a copy of the journal of proceedings of a committee from the four New-England states and New-York:

*Ordered*, That so much of the foregoing letters as relate to the Northern department be referred to the committee on the state of the western frontiers and Northern department; that the remainder of the general's letters be referred to the board of war; that the letter from the honorable S. Hopkins, esquire, with the journal accompanying it, be referred to a committee of three:

The members chosen, Mr. Laurens, Mr. Jones, and Mr. Witherspoon.

A memorial from J. Wyncoop was read:

*Ordered*, That it be referred to the board of treasury.

A letter from governor Henry of Virginia to the delegates of that state, with sundry papers inclosed, was laid before Congress and read:

*Ordered*, That the same be referred to the board of war.

Congress being moved to pass sundry resolutions,

*Ordered*, That the same be referred to the marine committee.

Congress took into consideration a report from the board of treasury; whereupon

*Ordered*, That there be advanced to captain George Price, of colonel Morgan's 11th Virginia battalion, for the use of his company lately raised and now on their march to camp, 2000 dollars, to be charged to the said battalion.

*Ordered*, That the sum of 500 dollars be advanced to the commissioners of account, at the treasury office, for the purpose of paying arrearages due to prisoners, for which the said commissioners are to be accountable.

*Ordered*, That there be advanced to captain Samuel Kearley,

they, of an independent company of continental troops, 1000 dollars, to purchase blankets for the said company and captain Irwine's independent company, by the special order of general Washington and the approbation of the cloathier general; the said captain Kearnley to be subject to the directions of the cloathier general and to account to him for the expenditure of the money, which is to be charged to the account of the cloathier general:

*Ordered*, That there be advanced to colonel le chevalier de Laffer and to colonel le chevalier de Valcourt respectively, 450 dollars, and to captain de Vrignèy, 240 dollars, for which they are severally to be accountable.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, To captain George May, of colonel Haller's battalion of Berks county flying camp, for sundry meals supplied his company previous to their joining the flying camp, also for sundry flints delivered colonel Haller, and for three gun-locks lost at fort Washington, 75. 8-90 dollars:

To Abraham Holmes, for sundry meals supplied the militia on their march through Lancaster to camp, 11. 12-90 dollars;

To Thomas M'Coy, late ensign in the 7th Pennsylvania regiment, a balance of his account for pay and rations from the 1st of October 1776, to the 10th of August 1777, the said M'Coy having been made prisoner in Canada and lately exchanged at Halifax, 185. 23-90 dollars.

To lieutenant William Allen, of captain Green's company of the Lancaster county flying camp, for subsistence paid by him for men of his company, for flints, powder horns and shot pouches lost on Long-Island, and for the pay due to one lieutenant and three privates which he advanced, 83 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That the report of the board of war of the 14th be re-committed.

Congress was resolved into a committee of the whole to consider farther the report of the committee on the ways and means of raising supplies for carrying on the war, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the report referred to them, but not having come to a conclusion, desire leave to sit again;

*Resolved*,

*Resolved*, That Congress will to-morrow resolve itself into a committee of the whole, to consider the report of the treasury on the ways and means of raising supplies for carrying on the war.

*Ordered*, That 2000 dollars be advanced to the state of Maryland, to be paid to the delegates of that state, which is to be accountable.

A petition from William Pyot and one from Lawrance Greenholm were presented to Congress :

*Ordered*, That they be referred to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, *August 19, 1777.*

A letter of the 18th from general Washington was read.

*Resolved*, That the Hessian field officers and colonel Campbell be admitted to their parole on the terms prescribed for officers who are prisoners.

The committee appointed to digest and report the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, brought in a report which was read :

*Ordered*, To lie for consideration.

Congress resolved itself into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies for carrying on the war, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the matter referred to them, but not having come to a conclusion, desire leave to sit again.

*Resolved*, That Congress will to-morrow resolve itself into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies for carrying on the war.

The committee on the treasury brought in a report, whereupon

*Ordered*, That there be advanced to captain William Peery, of an independent company stationed at Lewistown in the state of Delaware, 500 dollars for the pay and subsistence of the said company, for which he is to be accountable.

In



In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due, to captain William Peery, of an independent company appointed by Congress to guard Lewistown and the pilots and others in that quarter, on a pay-roll due to a company of militia which he commanded, also on a pay and subsistence roll due to his independent company to the 1st instant, also on a doctor's and blacksmith's bills, amounting in the whole to 3542 63-90 dollars, of which he received of president M<sup>c</sup>Kinley of the state of Delaware, 1500 dollars; a balance of 2042 63 90 dollars:

To James Hopkins, his account of eight men's services for 30 days each, by order of general Washington, on a secret expedition down the river Delaware, 491 75-90 dollars:

To Robert Lunn, late a serjeant in captain Vernon's company of colonel Wayne's battalion, 10 months and 26 days half-pay, being from the time he was regularly discharged to the time of his insisting in colonel Nichola's corps of invalids, amounting in the whole to 43 42-90 dollars, of which he received from Mease and Caldwell 4 dollars; the remainder 39 42-90 dollars:

*Ordered,* That the said accounts be paid.

The board of war brought in a report, which was taken into consideration; whereupon

Congress taking into consideration the letter from governor Henry of Virginia to the delegates of that state in Congress,

*Resolved,* That any officer now in colonel Harrison's regiment of artillery shall have liberty to leave the said regiment on being appointed to any office or command in the corps of artillery raising or to be raised in Virginia by the said state, and that the said colonel Harrison's regiment be under the direction of his excellency governor Henry during the time of its stay in that state.

*Resolved,* That this Congress will on all occasions discountenance and punish any indecent behaviour of any officer or officers in the continental service towards the civil authority of the several states.

*Resolved,* That a copy of general Lincoln's letter be forthwith transmitted to the council of New-Hampshire, and that they be informed, that the instructions which general Stark says he has received from them are destructive of  
military

military subordination and highly prejudicial to the common cause at this crisis; and therefore that they be desired to instruct general Stark to conform himself to the same rules which other general officers of the militia are subject to whenever they are called out at the expence of the United States.

*Ordered*, That the remainder of the report lie for farther consideration.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, *August 20, 1777.*

A letter of the 2d from Benjamin Harrison, esquire, deputy paymaster general in the Southern department, was read.

*Resolved*, That the pay of the paymaster general be encreased to 150 dollars a month:

That the pay of the deputy paymaster general be encreased to 75 dollars a month.

The marine committee, to whom certain motions were referred, brought in a report, which was read:

*Ordered*, To lie for consideration.

A letter from the president and council of Pennsylvania to the delegates of that state in Congress, was laid before Congress and read:

*Ordered*, That the consideration thereof be postponed till to-morrow, and that the deputy mustermaster general immediately muster the militia of Pennsylvania that are now in the field, beginning with those at Chester.

Congress took into consideration the report of the committee on the mode of conducting the enquiry into the reasons of the evacuation of Ticonderoga and Fort Independence, and into the conduct of the general officers who were in the Northern department at the time of the evacuation; and after debate thereon

*Resolved*, That it be re-committed.

The committee on the state of the Western frontiers and the Northern department brought in a farther report, which was taken into consideration; whereupon

*Resolved*, That general Washington be directed to call on the governor of New-Jersey for one thousand men to relieve a like number of the militia of the state of New-York at present employed in garrisoning the forts on Hudson's river, in order that the said militia may be employed

ployed in repelling the invasion of the enemy on the frontiers of that state :

That an extract of colonel George Morgan's letter, which relates to a farther supply of money, be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *August 21, 1777.*

A letter of the 20th from general Washington, inclosing an extract of a letter of the 15th from general Schuyler, was read, also a letter of the 15th from general Schuyler, with an address to him from six general officers, requesting him "that on his being relieved, previous to his leaving the country, he will use his influence with the militia, that without loss of time they join the army, a measure necessary for their own as well as for the safety of the public, relying on it, should he be detained on this important business, his doing it will be approved by Congress."

*Ordered,* That the extract of a letter from general Schuyler to general Washington be referred to the committee of intelligence ; and that the letter from general Schuyler be referred to the board of war :

Congress being informed that there is a large quantity of tar collected at Wilmington in North-Carolina, and that the enemy's fleet is now upon the southern coast,

*Resolved,* That it be earnestly recommended to the executive power of North-Carolina to cause all the military and naval stores in the said state to be removed to places of security with all possible expedition, it being of great consequence to the United States that the same should not fall into the enemy's hands ; that the said stores be destroyed rather than possessed by the enemy.

*Resolved,* That a committee of five be appointed to consider the state of South Carolina and Georgia :

The members chosen, Mr. Laurens, Mr. R. H. Lee, Mr. Wilson, Mr. Harnett, and Mr. Chafe :

*Ordered,* That the committee sit this afternoon and report as soon as possible.

Congress took into consideration a report of the board of war of the 23d July ; whereupon

*Resolved,* That Allen M'Donald, of Kinsborough, North-Carolina, a captain in the British regular service, be permitted to go into New-York to negotiate an exchange for himself and his son a lieutenant in the same service ; he to give

his parole not to convey to the enemy or bring back any intelligence whatever of a political nature, and to return in a certain time to be fixed by his parole or when called for, on behalf of the United States.

Congress took into consideration the report of the marine committee :

*Resolved*, That if upon due consideration jointly had by the navy board for the eastern department and the governor and council of war for the state of Rhode-Island, and for which purpose the said navy board are directed to attend upon the said governor and council of war, the preparing fire ships be judged practicable, expedient and adviseable, the said navy board immediately purchase, upon as reasonable terms as possible, six ships or square rigged vessels at Providence in the state of Rhode-Island and Providence plantations, the best calculated for fire ships; that they employ proper persons to fit and prepare the said fire ships with all possible expedition; that the said navy board provide proper materials for the same, and employ a proper captain or commander, one lieutenant and a suitable number of men for each of the said ships or vessels, of approved courage and prudence; and that notice be given to all the commanders of the continental ships and vessels in the port of Providence to be in readiness to sail at a moment's warning : That as soon as the said fire ships are well prepared, the first favourable wind and weather be embraced to attack the British ships and navy in the rivers and bays of the state of Rhode-Island and Providence plantations : that the officers of the continental navy there favour as much as possible this design, and use the utmost efforts to get out to sea and proceed upon such cruise or to such ports as the said navy board or the marine committee shall appoint or order.

*Resolved*, That the governor of the state of Rhode-Island and Providence plantations and the council of war of that state be acquainted with the foregoing resolve; and that they be requested to afford every assistance in their power in effecting the above purposes.

*Resolved*, That general Spencer be informed of the foregoing resolves, and that he be instructed to favour, as far as possible the said designs by such attacks or feints as he may judge proper with the troops and boats under his command.

*Resolved*, That secrecy, as much as possible, be recommended in carrying into execution the foregoing resolutions.

*Resolved*, That 4000 dollars be paid to the officers and men on board every fire ship or vessel which shall actually set on fire and destroy any one of the enemy's ships of war, in any of the



the bays, rivers or harbours in the state of Rhode-Island and Providence plantations, of 20 guns or upwards; and 3000 dollars for every ship or vessel of war under 20 guns; and 1500 dollars for every transport; the proof of the execution done to be certified by the commander or commanding officer, or by the oath of such person or persons as may be witnesses to the fact.

*Resolved*, That the rewards aforesaid shall be divided in the following proportion; one fourth to the captain or commander of such fire-ship or vessel, one seventh to the lieutenant, and the remainder to the crew, to be equally divided amongst them.

*Ordered*, That the marine committee collect the best intelligence and instructions they can respecting the best method of constructing fire ships, and send the same to the navy board of the eastern department.

*Ordered*, That the board of war direct mess. Hughes of Maryland to deliver to the order of the governor of that state, four twelve pounders, to be paid for or returned by that state.

The committee on foreign applications brought in a report which was taken into consideration; whereupon

*Resolved*, That a commission of lieutenant colonel be immediately given to the chevalier de Failly, and that he be paid in that rank from the 1st of December last and ordered to repair forthwith to the Northern army:

*Resolved*, That mons. Epiniers receive a commission of captain.

*Resolved*, That the remainder of the report lie for farther consideration.

Congress took into consideration the memorial of colonel Hazen, the report thereon of the board of treasury, and the commissioners for auditing claims, and after debate

*Ordered*, That the consideration thereof be postponed.

A letter of this day from general Washington was read, whereupon Congress adjourned for two hours.

*Five o'clock, P. M.*

Congress took into consideration the letter from general Washington, and the proceedings of a council of war enclosed therein; whereupon

*Resolved*, That Congress approve the plan of marching the army towards Hudson's river, and then that general Washington act as circumstances may require.

A letter of the 18th from general Schuyler was read :

*Ordered*, That it be referred to the committee of intelligence.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

FRIDAY, *August 22, 1777.*

Two letters of the 21st from general Washington, one of them inclosing a letter of the 20th from general Newcomb, were read :

*Ordered*, That they be referred to the board of war.

*Ordered*, That the board of war send to Virginia, with all possible dispatch, four brass field pieces, if the public service will admit.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Resolved*, That there be advanced to Thomas Butler, continental armourer, 1600 dollars for the use of his department, he to be accountable :

That there be advanced to Everhart Michael, esquire, paymaster of the German battalion, 2000 dollars for the use of the said battalion, for which he is to be accountable :

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due,

To Jacob Hincle, for 136 meals supplied the militia of Cumberland county on their march to camp, 13 54-90 dollars :

To lieutenant Nicholas Garret, late of colonel Magaw's regiment, a balance of his account for his pay and for bounty money advanced to ten men he recruited, as also their subsistence and enlistment money, &c. amounting to 178l. 7s. 9d. of which he received from major Benezet 135l. the balance being 115 63-90 dollars, to be paid to him and charged to the said regiment.

*Ordered*, That the said accounts be paid.

Advice being received that the enemy's fleet are in Chesapeake bay, between Rock Hall and the mouth of Patapsco river,

*Ordered*, That the board of war give immediate orders for removing the prisoners and public stores from Lancaster and York town to places of greater security.

That

That the board of treasury take immediate and effectual measures for the security of the treasury at Baltimore :

That the president write to captain Nicholson, and inform him it is the desire of Congress, in case his vessel cannot be saved from falling into the hands of the enemy otherwise than by destroying her, that in that case he destroy her, saving as much of her tackle, furniture and stores as he can.

*Resolved*, That general Washington be informed by express of the intelligence Congress hath this day received of the British fleet being advanced high up the bay of Chesapeak, and therefore that it is probable the enemy have the city of Philadelphia in contemplation ; that as the distance from the head of the said bay to this city is so small, Congress with the general in consequence of this information to proceed in such manner as shall appear to him most conducive to the general interest, notwithstanding the resolution of yesterday concerning his progress to the North River.

*Resolved*, That Mr. Jones, Mr. Chase, and Mr. Roberdeau be a committee to prepare a resolution for calling forth the militia of Pennsylvania and the neighbouring states.

Congress adjourned to five o'clock.

*Five o'clock, P. M.*

*Resolved*, That Lodowig Sprogle be impowered and directed to muster the militia of Pennsylvania instead of the deputy mustermaster general, whose indisposition prevents his performing that service.

The committee appointed to prepare a resolution for calling forth the militia, brought in a report, which was taken into consideration ; whereupon

*Resolved*, That it be earnestly recommended to the state of Maryland immediately to call out not less than 2000 select militia to repel the expected invasion of the states of Pennsylvania, Delaware and Maryland ; that 1250 of the militia on the western shore of Maryland repair as soon as possible to Baltimore and Hartford towns ; that 750 of the militia on the eastern shore repair as soon as possible to Georgetown on Sassafras, there to wait the directions of general Washington :

That

That the state of Pennsylvania be requested to keep up 4000 of their militia to assist in repelling the threatened invasion of the enemy by the way of Chesapeak and Delaware bays; that these rendezvous at Lancaster, Downing town and Chester, as the council of the said state shall direct, and that they be subject to the orders of general Washington:

That the state of Delaware be requested to call out 1000 of their militia to rendezvous at New-port and Christiana Bridge, there to wait the orders of general Washington:

That the state of Virginia be requested to draw out one third of the militia of each of the counties of Prince-William, Fairfax, Loudon, Berkely, Frederick, Dunmore, Faquier and Culpepper, and march them to Frederick-Town in the state of Maryland, there to wait the orders of general Washington:

That the militia requested from the states aforesaid be in the pay of the continent to the 30th November next, unless sooner discharged by Congress or the commander in chief:

That it be recommended to each of the above states to remove all boats and other craft, provisions, grain, naval and military stores, provender, cattle and live stock, waggons, carts and horses, in the way of the enemy's march, to places of safety, and to destroy what cannot be removed.

That general Washington be directed to order brigadier general Smallwood and colonel Gift to repair immediately to the state of Maryland to arrange, march and command the militia required of that state.

The several matters to this day, referred being postponed, adjourned to ten o'clock to morrow.

SATURDAY, *August 23, 1777.*

A letter of the 22d from general Washington was read:

Also a letter of the 21st from colonel J. E. Howard at Baltimore; two from governor Johnson; and sundry other letters from divers persons in Baltimore respecting the enemy's fleet in Chesapeak-bay; were read.

A letter from lieutenant Edward Cowan, of captain Weaver's company, was read, praying for leave to resign his commission:

*Ordered,* That he have leave to resign.

*Resolved,*



*Resolved*, That the president inform general Washington that Congress never intended by any commission hitherto granted by them, or by the establishment of any department whatever, to supersede or circumscribe the power of general Washington as the commander in chief of all the continental land forces within the United States.

A letter of this day from general Washington was read :

*Ordered*, That it be referred to the board of war.

The committee to whom was re-committed the report on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, brought in a report, which was taken into consideration ; whereupon

It was moved instead of " three members of Congress," to insert " the judge advocate with the assistance of — and ——" should conduct the enquiry ;

Passed in the negative.

It was then moved, that three commissioners, not members of Congress, should conduct the enquiry ;

On this the states were qually divided

The yeas and nays are as follows :

Y E A S.

Mr. Gerry,

Mr. Lovel,

Mr. Law,

Mr. Duane,

Mr. Duer,

Mr. Witherspoon,

Mr. Wilson,

Mr. Clymer,

N

A

Y

S.

Mr. Folsom,

Mr. Frost,

Mr. S. Adams,

Mr. Marchant,

Mr. Dyer,

Mr. Williams,

Mr. Sergeant,

Mr. Clark,

Mr. Chafe,

Mr. Harrison,

Mr. F. L. Lee,

Mr. Jones,

Mr. Harnett.

Mr. Penn,

Mr. Middleton,

Mr. Walton.

Mr. Roberdeau,

Mr. W. Smith,

Mr. R. H. Lee,

Mr. Heyward,

Mr. Laurens,

Mr. Brownson.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y,

MONDAY, *August 25, 1777.*

A letter of the 23d from general Washington, inclosing a copy of a letter of the 11th from general Schuyler respecting some Caghawaga Indians; also a letter of the 20th from general Gates at Van Schaack's Island; one of the 24th from colonel H. Hollingsworth at the head of Elk; one of the 13th from colonel G. Morgan at fort Pitt, with a copy of sundry conferences held with the Indians; and one of the 16th from doctor Shippen; were read:

*Ordered,* That general Washington's letter be referred to the committee on Indian affairs; that so much of colonel Morgan's letter as relates to money be referred to the board of treasury, and that the remainder, with the papers inclosed, be referred to the board of war; that the letter from doctor Shippen be referred to the medical committee.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due, To Peter and Daniel Mallet, a balance of their accounts for supplying and paying the nine regiments from North Carolina, their rations from the time of leaving that state to the 1st of August instant, amounting to 14613 39-90 dollars, of which they received from Benjamin Harrison, esq; deputy paymaster general in Virginia, 10,000 dollars, and credit for rations drawn out of the public stores, 1020 50-90 dollars, and for over charge in rations supplied 171 2-90 dollars; the balance is 3421 77-90 dollars:

To colonel Hazen 800 dollars, being for one hundred half Johannes' he paid to lieutenant colonel Edward Antil of his regiment in February 1776, to be employed in raising recruits for a regiment of Canadians, and for which sum colonel Antil is to be accountable; this sum was charged in colonel Hazen's account reported the 30th of last month, but the commissioners deducted it from the balance, until colonel Antil's receipt should be produced, which is now done:

*Ordered,* That the said accounts be paid.

The committee on the treasury brought in a report, which was taken into consideration; whereupon

*Ordered,* That there be advanced to the delegates of the commonwealth of Virginia 19168 dollars, agreeable to an application from governor Henry of the said commonwealth,

monwealth, by letters dated the 24th of July and an account of expenditures made by the said commonwealth, for the use of the United States, and for which the said commonwealth is to be accountable :

That there be paid to the chevalier de Failly 380 dollars, in addition to 100 dollars advanced him by a warrant the 6th instant, it being in full of his pay as lieutenant colonel for eight months from the 1st of December last, and for which he is to be charged :

That a warrant be issued in favor of the board of war for 500,000 dollars, to be sent to the paymaster general for the use of the army, and for which the said paymaster general is to be accountable.

*Resolved*, That the same pay be allowed to the officers who served on board the fleet on lake Champlain as is allowed to officers of equal rank belonging to the navy of the United States.

*Ordered*, That there be advanced to William Buchanan, esquire, commissary general of purchases, 100,000 dollars, for the use of his department, he to be accountable.

*Ordered*, That the board of war take speedy and effectual measures for having six thousand stand of arms brought from the magazine at Springfield to head quarters.

A letter of this day from general St. Clair was read.

A petition from Henry Sherer, one from Jonathan Pearson, one from Juliana Zedwitz, one from Conrad Miller, one from captain Tenet, and one from William Bunting, were read :

*Ordered*, That they be dismissed.

A petition from John Rodgers, and one from Bersheba Parsons were read :

*Ordered*, To lie on the table, and that the petitioners have leave to withdraw them.

A petition from John Cox was read :

*Ordered*, To lie on the table.

A memorial from count Pulasky was read :

*Ordered*, That it be referred to the committee on foreign applications.

A memorial from Lewis John Baptist Chamberon de Dantignac, a petition from Margaret Crohon, one from Thomas Hill, one from Shewbert Armitage, and one from Mary Quick, were read :

*Ordered*, That they be referred to the board of war.

A memorial from lieutenant Jean Baptift Moargues, and one from baron Holzendorf; also a petition from Elizabeth Parsons, and one from captain Buifben, were read :

*Ordered*, That they be referred to the board of treasury.

A memorial from Leonard Prime and others officers of the fleet on lake Champlain was read :

*Ordered*, That it be referred to the marine committee.

A petition from Levi Hollingsworth and Nicholas Ruffe was read :

*Ordered*, That it be referred to the delegates of Pennsylvania and Maryland.

A letter of this day from general Washington at Chester, inclosing a copy of a letter of the 20th from general Schuyler at Albany, with a return of the Northern army; also a copy of one of the 19th from general Lincoln to general Schuyler, with a copy of general Burgoyne's instructions to lieutenant colonel Baum, was read :

*Ordered*, That the instructions of general Burgoyne to lieutenant colonel Baum be referred to the committee of intelligence.

Congress resumed the report on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and fort Independence, and into the conduct of the general officers in the Northern department at the time of the evacuation, and the question being put to agree to the first paragraph,

Resolved in the affirmative.

The yeas and nays being required by the state of New-Hampshire, are as follows :

Y E A S.	Y E A S.	N A Y S.
Mr. Frost,	Mr. Williams,	Mr. Duer,
Mr. Folsom,	Mr. Clark,	Mr. Wilson,
Mr. S. Adams,	Mr. Sergeant,	Mr. Morris,
Mr. J. Adams,	Mr. Elmer,	Mr. Chase,
Mr. Gerry,	Mr. Roberdeau,	Mr. W. Smith,
Mr. Lovell,	Mr. R. H. Lee,	Mr. Jones,
Mr. Marchant,	Mr. F. L. Lee,	Mr. Burke,
Mr. Dyer,	Mr. Laurens,	Mr. Harnett,
	Mr. Brownson.	Mr. Penn,

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T U E S D A Y, *August 26, 1777.*

A letter of the 25th from general Washington at Wilmington, inclosing a copy of a letter from H. Hollingsworth; a letter



letter of the 24th from colonel Hollingsworth; one of the 13th from lieutenant colonel Carrington at Yorktown Virginia; and an application from mons. du Coudray; were read.

*Ordered*, That so much of mons. du Coudray's application as relates to money be referred to the board of treasury, and the remainder to the board of war:

That the copy of the letter from colonel Hollingsworth be referred to the committee of intelligence.

The delegates of Georgia laid before Congress a letter from Ebenezer S. Platt, dated Newgate in London, 16th of May 1777, and directed to Seth Cuthbert, merchant in Georgia, representing that he had been apprehended and imprisoned on account of having acted under the authority of Congress, and requesting to be supplied with a sum of money, and that he may be demanded in exchange; whereupon

*Resolved*, That the American commissioners at the court of France be directed to supply the said Ebenezer S. Platt with a sum not exceeding one hundred pounds sterling; and that they demand his person in exchange for some person in our power:

*Resolved*, That the sum so to be advanced be charged to the state of Georgia.

A memorial from colonel A. Spotswood, of the 2d Virginia regiment, with sundry papers therein referred to, was laid before Congress and read.

*Ordered*, That the same be referred to the board of war.

A motion was made to order the first and third battalions of New-Jersey troops to be stationed in New-Jersey until the further order of Congress, and to take such posts as will be most effectual for securing the parts of New-Jersey lying to the Northward of Amboy from the frequent excursions of the enemy from Staten-Island; and that general Washington be informed of the said battalions being detained for the above purpose:

Question put, passed in the negative.

*Resolved*, That if any member chuses to have the ayes and noes taken upon any question, he shall move for the same previous to the president's taking the sense of the house on such question, and if the motion be seconded, the individual members of each state shall be called upon to answer ay or no to the question, which answer shall be entered on the journal and the question be determined by the majority of states as the majority of votes in each shall make appear.

*Resolved*, That it be recommended to his excellency the president and the honorable the executive council of the state of Pennsylvania to lend the commander in chief two brass twelve pounders belonging to the said state.

*Resolved*, That the supreme executive council of Pennsylvania be requested to order all the leaden spouts in Philadelphia to be taken down for the use of the laboratory.

A petition from Charles Craig and Thomas Dorsey was read:  
Ordered to lie on the table.

Congress resumed the consideration of the memorial from colonel Hazen, the report of the board of treasury, and the report of the commissioners of claims on the account of colonel Hazen; and after debate

*Ordered*, That the said reports be re-committed.

*Resolved*, That the commissioners of claims be instructed to distinguish between the sums due to colonel M. Hazen for hard money advanced by him, and those due to him for commodities furnished by him for the use of the army in Canada.

*Resolved*, That the former sums be repaid to him in hard money with interest at six per cent. from the 1st May 1776.

*Ordered*, That 10,000 dollars be advanced to the delegates of Maryland for the use of that state, which is to be accountable.

Whereas the states of Pennsylvania and Delaware are threatened with an immediate invasion from a powerful army, who have already landed at the head of Chesapeak bay; and whereas the principles of policy and self-preservation require that all persons who may reasonably be suspected of aiding or abetting the cause of the enemy may be prevented from pursuing measures injurious to the general weal:

*Resolved*, That the executive authorities of the states of Pennsylvania and Delaware be requested to cause all persons within their respective states notoriously disaffected forthwith to be apprehended, disarmed and secured, till such time as the respective states think they may be released without injury to the common cause.

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania to cause a diligent search to be made in the houses of all the inhabitants of the city of Philadelphia who have not manifested their attachment to the American cause, for fire arms, swords and bayonets; that the owners of the arms so found be paid for them at an appraised value, and that they be delivered to such of the militia of the state of Pennsylvania who are at present unarmed and have been called into the field.

*Ordered*,

*Ordered,* That the board of war furnish the state of Maryland with as many fire arms as can be spared for arming their militia now called into service

The board of treasury brought in a report, which was taken into consideration ; whereupon

*Ordered,* That there be advanced to lieutenant colonel baron de Holtzendorf 300 dollars, for which he is to be accountable.

*Ordered,* That there be advanced to colonel G. Morgan 20,000 dollars, for the use of his department, and for which he is to be accountable :

That there be advanced to lieutenant colonel the chevalier de Failly 184 dollars, for three months pay from the first of this month :

That there be advanced to major de Bois 150 dollars, for three months pay, commencing the first of this month.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due,

To James Mitchel, late a serjeant in colonel Stewart's regiment, three months half pay, being from the 1st day of May last, the time he settled with the paymaster, to the 1st instant, at which time he enlisted in colonel Nicola's corps, he being an invalid, 12 dollars :

To the commissioners of claims 8 dollars, which they advanced to Samuel Hamel, James Mc Callister, &c. for taking up a certain Robert Mc Cann, a deserter from captain Robert Smith's company, of colonel Feebucker's regiment and delivered him to Robert Jewell, keeper of the state prison, viz. 5 dollars for taking him up and 3 dollars for expences :

To Nathaniel Jones, a balance for the hire of his waggon impressed to bring money from Baltimore, 11 days out and home, 42 dollars, of which he received from M. Hillegas, esq; 20 dollars ; the ballance is 22 dollars :

To sundry persons of Northumberland county belonging to colonel Potter's battalion of militia, for rifles, guns and blankets taken and appraised for the use of captain William Gray's company of the said battalion some time in December last, which articles were not returned to the owners, but delivered up to the continental store, as appears by certificates 1208 12-90 dollars, and that the same ought to be paid to brigadier Potter or his order :

*Ordered,* That the said accounts be paid.

The several matters to this day referred being postponed, adjourned to ten o' clock to-morrow.

WEDNESDAY,

WEDNESDAY, *August 27, 1777.*

A letter of the 25th from J. M'Kinly, president of the state of Delaware; one of the 5th and one of the 10th from brigadier general de Roche Fermoy were read:

*Ordered,* That they be referred to the board of war.

A petition from Peter Frances de Bois was read:

*Ordered,* That it be dismissed.

A letter from colonel Bailor to colonel Harrison was laid before Congress and read:

*Ordered,* That it be referred to the board of war.

The board of war, to whom the petition of Lewis John Baptiste Chamberon de Dantignac, was referred, brought in a report, which was read; whereupon

*Ordered,* That the petition be dismissed.

A petition from monf. de Ganot was read.

Congress resumed the consideration of the report of the committee on the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and Mount Independence, &c.

In considering the 2d paragraph, it was moved to add these words, "and his reasons for absence from Ticonderoga at the time of the enemy's approach to that post;"

Question put, passed in the negative.

In debating the 7th paragraph sundry amendments were moved and agreed, viz.

After "number" insert "equipment."

After "militia" insert "and the term of service for which they were engaged."

On motion to strike out "where the general officers marched in the retreat" and insert in lieu thereof "and the manner in which the retreat was conducted."

New-Hampshire,	Mr. Frost,	<i>no</i>	}	<i>no</i>
	Mr. Folsom,	<i>no</i>		
Massachusetts-Bay,	Mr. S. Adams,	<i>no</i>	}	<i>no</i>
	Mr. J. Adams,	<i>no</i>		
	Mr. Gerry,	<i>no</i>		
	Mr. Lovell,	<i>no</i>		
Rhode-Island, Connecticut,	Mr. Marchant,	<i>no</i>	}	<i>no</i>
	Mr. Dyer,	<i>no</i>		
	Mr. Law,	<i>no</i>	}	<i>no</i>
	Mr. Williams,	<i>no</i>		
New-Jersey,	Mr. Clark,	<i>ay</i>	}	<i>ay</i>
	Mr. Sergeant,	<i>no</i>		
	Mr. Elmer,	<i>ay</i>		
				Pennsylvania,



Pennsylvania,	Mr. Morris,	<i>ay</i>	} <i>ay</i>
	Mr. Wilfon,	<i>ay</i>	
	Mr. Clymer,	<i>ay</i>	
	Mr. Roberdeau,	<i>no</i>	
Maryland,	Mr. Chafe,	<i>ay</i>	} <i>ay</i>
	Mr. W Smith,	<i>ay</i>	
Virginia,	Mr. Harrifon,	<i>ay</i>	} <i>ay</i>
	Mr. R H. Lee,	<i>ay</i>	
	Mr. F. L. Lee,	<i>ay</i>	
	Mr. Jones,	<i>ay</i>	
North-Carolina,	Mr. Penn,	<i>ay</i>	} <i>ay</i>
	Mr. Burke,	<i>ay</i>	
	Mr. Harnett,	<i>ay</i>	
South-Carolina,	Mr. Heyward,	<i>ay</i>	} <i>divided.</i>
	Mr. Laurens,	<i>no</i>	
Georgia,	Mr. Brownfon,	<i>ay</i>	} <i>ay</i>

So it was resolved in the affirmative.

In debating the 5th paragraph it was moved and agreed after "number" to insert "and size:"

after "cannon" to insert "and whether any were removed before the evacuation."

A motion was made to strike out the last paragraph, viz.

"That if upon such enquiry a well grounded suspicion shall arise, that the loss of those important posts was owing to neglect or misconduct of any officer or officers in said department, Congress may give the necessary direction for bringing such officer or officers to trial, according to the rules and articles of war:" and instead thereof insert,

"That upon such enquiry and collection of facts, the whole be transmitted by the said committee to general Washington, with direction for him to proceed thereupon, either by court of enquiry or court martial, as shall be most proper and conformable to the law martial, for examining into the conduct of the general officers who commanded in the Northern department at the time Ticonderoga was evacuated:"

It was moved to amend this by striking out "either by court of enquiry or court martial, as shall be most proper and conformable to the law martial," and instead thereof to insert these words, "agreeable to the rules and articles of war:"

Another amendment was moved, to strike out what follows the

the word "facts," and insert "a copy of the whole be transmitted by the said committee to general Washington, and that thereupon he appoint a court martial for the trial of the general officers who were in the Northern department when Ticonderoga and mount Independence were evacuated, agreeable to the rules and articles of war."

Question put on the last amendment, resolved in the affirmative.

Question was then put on the motion as amended—

New-Hampshire,	Mr. Frost,	<i>no</i>	} <i>no</i>
	Mr. Folsom,	<i>no</i>	
Massachusetts-Bay,	Mr. S. Adams,	<i>ay</i>	} <i>ay</i>
	Mr. J. Adams,	<i>ay</i>	
	Mr. Gerry,	<i>ay</i>	
	Mr. Lovell,	<i>ay</i>	
Rhode-Island,	Mr. Marchant,	<i>no</i>	} <i>no</i>
Connecticut,	Mr. Dyer,	<i>ay</i>	
	Mr. Law,	<i>ay</i>	} <i>ay</i>
	Mr. Williams,	<i>ay</i>	
New-Jersey,	Mr. Clark,	<i>ay</i>	} <i>ay</i>
	Mr. Sergeant,	<i>ay</i>	
Pennsylvania,	Mr. Wilson,	<i>ay</i>	} <i>ay</i>
	Mr. Clymer,	<i>ay</i>	
	Mr. Roberdeau,	<i>ay</i>	
Maryland,	Mr. Chase,	<i>ay</i>	} <i>divided.</i>
	Mr. W. Smith,	<i>no</i>	
Virginia,	Mr. Harrison,	<i>ay</i>	} <i>ay</i>
	Mr. R. H. Lee,	<i>no</i>	
	Mr. F. L. Lee,	<i>ay</i>	
	Mr. Jones,	<i>ay</i>	
North-Carolina,	Mr. Burke,	<i>ay</i>	} <i>ay</i>
	Mr. Harnett,	<i>ay</i>	
South-Carolina,	Mr. Heyward,	<i>ay</i>	} <i>divided.</i>
	Mr. Laurens,	<i>no</i>	

So it was resolved in the affirmative.

The report as amended and agreed to is as follows:

*Resolved*, That a committee of three members of Congress be appointed and authorised to correspond with public or private persons, by letter or otherwise, in this and the neighbouring states, in order to collect the clearest and fullest evidence of the state of the army in the Northern department, and also of the state of the troops, military stores and provisions, at the said posts before and

and at the time when the evacuation was determined upon:

To call for and examine the minutes of the council of war, to enquire what orders were given from time to time by the commander in chief of that department:

To enquire particularly if the barracks and stores were destroyed or left standing:

To enquire of the quarter master general and commissary general what quantity of provision had been laid up at Ticonderoga or near it for the use of the garrison, and what measures were taken or taking for throwing in farther supplies:

To inform themselves as fully as possible of the number, appointment and movements of the enemy from the time of their landing to the time of evacuating the fort, and also of the number, quality and condition of the garrison; and if any, and what measures were taken to gain intelligence of the strength of the enemy by the commander in chief or the commanding officer at Ticonderoga:

To enquire of the cloathier general what cloathing from time to time had been issued for the use of the Northern department, and from other public officers into the expenditure of such general issues:

To enquire into the number, equipment and behaviour of the militia and the term of service for which they were engaged, at and before the time of the evacuation; into the situation and condition of the lines at Ticonderoga and the fortifications upon Mount Independence; what works had been thrown up by the enemy, what posts they had taken and the distance of their works; what orders had been given by the commanding officer for directing and regulating a retreat, and the manner in which the retreat was conducted; what orders were given relative to the sick, what care taken of them; whether any continental troops and what number were at Albany or in the neighbourhood, how long they had been there, and why they were not ordered to Ticonderoga:

To enquire into the number and size of cannon, and whether any were removed before the evacuation, the quantity and species of military stores, the state of the arms, both of the continental soldiers and militia, whether the troops were furnished with bayonets and whether there were

any and what number of pikes or spears proper for defending lines :

That upon such enquiry and collection of facts, a copy of the whole be transmitted by the said committee to general Washington, and that thereupon he appoint a court martial for the trial of the general officers who were in the Northern department when Ticonderoga and Mount Independence were evacuated, agreeable to the rules and articles of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *August 28, 1777.*

A letter of the 21st from general Washington, inclosing a copy of a letter of the 29th of May from B. Franklin at Paris, respecting the count Pulasky; also a letter of the 25th from count Pulasky; one of the 14th from Joseph Trumbull, esq; at the cross roads; and a petition from John Young were read: also a letter from baron de Kalb, inclosing a letter directed to general Howe, and a letter of the 25th from M. Hillegas, treasurer at Yorktown; were read :

*Ordered,* That the letter from Mr. Trumbull and that from Mr. Hillegas be referred to the board of treasury; that the petition from J. Young, and so much of the baron de Kalb's letter as relates to his application for leave to return to France, by the way of New-York, be referred to the board of war :

That the remainder of the baron de Kalb's letter and the letter from general Washington, with the one enclosed, and the letter from count Pulasky be referred to the committee on foreign applications.

A letter of the 24th from brigadier A. Buchanan at Baltimore was read.

*Resolved,* That the committee appointed to take into consideration the state of South-Carolina and Georgia, be also empowered to consider and report upon the state of North-Carolina.

Congress proceeded to the election of the committee to collect evidence and facts relative to the evacuation of Ticonderoga and Mount Independence, and the ballots being taken,

Mr. Laurens, Mr. R. H. Lee, and Mr. J. Adams, were elected.

*Ordered,*



*Ordered*, That a copy of the resolutions respecting the mode of conducting the enquiry into the causes of the evacuation of Ticonderoga and mount Independence, &c. be sent to each of the general officers who were in the Northern department at the time of the evacuation, and that they be published in the news papers.

*Ordered*, That 3000 dollars be advanced to the secretary of the board of war for public service, he to be accountable.

A letter of the 25th from general Sullivan at Hanover, with sundry papers inclosed, also another from him without date, were read :

*Ordered*, That the letter of the 25th, with the papers inclosed, be referred to a committee of three ;

The members chosen Mr. J. Adams, Mr. Duer and Mr. R. H. Lee.

*Resolved*, That when a state is unrepresented in Congress, and the yeas and nays are called for, the opinion of the members of the state unrepresented shall be called for and entered on the journal, the name of such members being distinguished by an asterisk.

*Resolved*, That Congress will to-morrow morning, immediately after reading the public letters, resolve itself into a committee of the whole, to consider farther the report of the treasury on the ways and means of raising supplies and the letters of the commissioners at Paris referred to them.

*Ordered*, That 3000 dollars be advanced to the president for public service, he to be accountable.

A letter of the 26th from James Mease, esquire, cloathier general, was read :

*Ordered*, That it be referred to the board of treasury.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due,

To Abraham Berlin, chairman of the committee of Northampton county, for his account of rations supplied colonel Hand's battalion last winter at Easton; as well as the militia who were on their way to camp, 834 22-90 dollars, and for his trouble and expences in advancing great part of the money and for paying the remainder, 40 dollars, the whole amounting to 864 22-90 dollars :

*Ordered*, That the said account be paid.

Congress resumed the consideration of the report of

the committee appointed to enquire into the state of the army ; whereupon

*Resolved*, That the cloathier general be directed forthwith to inform himself, as nearly as may be, of the number of blankets, shoes, hose and shirts, that will be wanted for the troops of the United States in the fall and winter next ensuing, exclusive of those now in store, or for which he has contracted ; that he apply for the same to the several assemblies or executive authorities of the states of New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-Jersey, Pennsylvania and Delaware, in proportion to the number of inhabitants of each state, and send to each an attested copy of this resolve : and it is earnestly recommended to the several states aforesaid to call on the inhabitants of their respective counties, cities, towns or districts to manufacture or furnish their proportions of the said articles ; and the said states are desired to appoint suitable persons to inspect the quality of the articles thus supplied, and to order them to be delivered to the cloathier's agent in each state, who is hereby directed to pay for the same on the delivery thereof :

That the cloathier general be directed forthwith to apply to the commander in chief and commander of each continental district, and inform himself of the number of assistant cloathiers necessary for the army and detached parts within their several commands ; that he appoint without delay as many assistants as they may respectively judge necessary, and report their names to Congress ; that he take effectual care to send to each assistant a proportion of the cloathing on hand, and full supplies as soon as may be, ordering the said assistants to give receipts for the same ; that he be careful to direct the several assistants to give to each non-commissioned officer and soldier the cloathing due to him by the articles of enlistment and take receipts ; and that they supply the army with such other cloathing as shall be necessary at the average cost and charges thereof ; that he furnish each assistant with the names of the non-commissioned officers and soldiers of the divisions or corps to which he may be assigned, who have received the bounty of cloathing or any part thereof, and also with the account of each officer and soldier in such division or corps, who is indebted to the United States for articles of cloathing, that he direct each assistant

tant on the first day of every month to render to the respective regimental paymasters in the divisions or corps to which he is assigned, particular accounts of all the cloathing for which the officers and men are respectively indebted; and the several regimental paymasters are hereby directed to make the proper stoppages from the pay rolls for discharging the said accounts, and to deliver the money to the assistant clothiers respectively, taking their receipts and delivering them to the paymaster or deputy paymaster general to be filed in his office until required by the commissioners of accounts or other proper authority; that the several assistants deliver the money so received to the clothier general and account with him for all the cloathing which they may receive as aforesaid.

*Resolved*, That the farther consideration of the report be postponed.

*Resolved*, That general Washington be directed, if the service will permit, to order a skilful engineer and an experienced artillerist to repair immediately to the city of Annapolis in the state of Maryland, there to obey the directions of the governor and council of that state.

*Ordered*, That mons. P. F. de Bois repair immediately to the Northern department.

Congress adjourned to five o'clock.

*Five o'clock, P. M.*

In pursuance of an adjustment by the commissioners of claims, the auditor general reports,

That there is due,

To Abraham Terrill and Charles Tooker, for the damages they sustained in a small schooner belonging to them in her sails, rigging and hull, the said schooner being employed by general Mercer in an intended attack on Staten Island July 1776, in which she was sunk and suffered the said damages, agreeable to appraisement and certificates, 13, 60-90 dollars, to be paid to Abraham Clark, esquire :

To Belcher P. Smith, for three months services to general Maxwell last winter in Jersey in capacity of his clerk, and for other services, 150 dollars.

To Robert Jewell, his account of diet for prisoners from 22d July to 29th instant inclusive, 371 52-90 dollars :

To Allen Cameron, a balance of his allowance as prisoner,

soner from 24th December 1776 to 25th July last, 54 77-90 dollars.

To ensign Enoch Welsh, his expences conducting British prisoners to their lines and on his return to this city, being six days for himself and horse 17 12-90 dollars :

*Ordered,* That the said accounts be paid.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Resolved,* That the pay of the deputy paymaster general of the Northern, Eastern and Southern departments be augmented to 80 dollars per month.

That the assistants to the paymaster general and deputy paymasters general, whom they are respectively authorised to appoint where such officers shall be necessary, shall receive for the time of their actual service 50 dollars a month :

That the paymaster general and deputy paymasters general shall be obliged respectively to take bond of their respective assistants appointed by them for the faithful performance of their trust, in such penalties as the commander in chief or commanding officer of the department shall direct.

*Resolved,* That there be advanced to colonel Flowers, commissary general of military stores, 50,000 dollars for the use of his department, for which he is to be accountable.

The committee to whom the letter from general Sullivan, with the papers inclosed, was referred, report,

“ That the several testimonies which have been published since the commencement of the present contest betwixt Great-Britain and America, and the uniform tenor of the conduct and conversation of a number of persons of considerable wealth who profess themselves to belong to the society of people commonly called Quakers, render it certain and notorious that those persons are with much rancour and bitterness disaffected to the American cause : that as these persons will have it in their power, so there is no doubt it will be their inclination, to communicate intelligence to the enemy, and in various other ways to injure the counsels and arms of America :

That when the enemy in the month of December 1776 were bending their progress towards the city of Philadelphia, a certain seditious publication addressed “ To our  
“ friends



“ friends and brethren in religious profession in these and  
 “ the adjacent provinces,” signed “ John Pemberton in  
 “ and on behalf of the Meeting of Sufferings held at Phi-  
 “ ladelphia for Pennsylvania and New Jersey, the 26th of  
 “ 12th month 1776,” was published, and as your com-  
 mittee is credibly informed circulated amongst many mem-  
 bers of the society called quakers throughout the different  
 states :

That as the seditious paper aforesaid originated in the  
 city of Philadelphia, and as the persons whose names are  
 under mentioned have uniformly manifested a disposition  
 highly inimical to the cause of America, therefore

*Resolved*, That it be earnestly recommended to the supreme  
 executive council of the state of Pennsylvania forthwith to  
 apprehend and secure the persons of Joshua Fisher, Abel  
 James, James Pemberton, Henry Drinker, Israel Pemberton,  
 John Pemberton, John James, Samuel Pleasants; Thomas  
 Wharton, senior, Thomas Fisher son of Joshua, and Samuel  
 Fisher son of Joshua, together with all such papers in their  
 possession as may be of a political nature.

“ And whereas there is strong reason to apprehend that  
 these persons maintain a correspondence and connection high-  
 ly prejudicial to the public safety; not only in this state,  
 but in the several states of America

*Resolved*, That it be recommended to the executive  
 powers of the respective states forthwith to apprehend and  
 secure all persons, as well among the people called quakers  
 as others, who have in their general conduct and conversa-  
 tion evidenced a disposition inimical to the cause of Ameri-  
 ca; and that the persons so seized be confined in such places  
 and treated in such manner as shall be consistent with their  
 respective characters and security of their persons :

That the records and papers of the Meetings of Sufferings  
 in the respective states be forthwith secured and carefully  
 examined, and that such parts of them as may be of a politi-  
 cal nature be forthwith transmitted to Congress.”

The said report being read, and the several paragraphs  
 considered and debated, and the question put severally there-  
 on, the same was agreed to.

*Ordered*, That the board of war remove under guard  
 to a place of security out of the state of Pennsylvania,  
 the

the honorable John Penn, esquire, and Benjamin Chew, esquire; and that they give orders for having them safely secured and entertained agreeable to their rank and station in life.

A letter of the 28th, from general Washington at Wilmington was read:

*Ordered*, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, August 29, 1777.

A letter of the 27th from general Washington at Wilmington was read.

A motion being made respecting the militia,

*Ordered*, That it be referred to the board of war.

*Resolved*, That governor Livingston be requested to lend Congress such number of arms as can be procured in the state of New-Jersey, or if arms can be purchased in that state that he will appoint proper persons to collect and pay for them at continental expence.

Congress was resolved into a committee of the whole to consider the report of the committee on ways and means, &c. and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the report to them referred but not having come to a conclusion desire leave to sit again.

*Resolved*, That to-morrow Congress will resolve itself into a committee of the whole, to consider farther the report of the committee on ways and means, &c.

*Resolved*, That each assistant cloathier be allowed 50 dollars a month, and the rations of a captain.

The committee on the treasury brought in a report, which was taken into consideration, whereupon

*Ordered*, That there be advanced to lieutenant colonel chevalier de Franval 540 dollars, for nine months pay commencing 1st December last, ending 1st September next.

That there be advanced to James Mease, esquire, cloathier general, 20,000 dollars, to be remitted by him to Georgia for cloathing the continental troops in that state; which sum is part of the money directed to be sent to that state, for the use of the said troops.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY,

SATURDAY, *August 30, 1777.*

A letter of the 29th from general Washington at Wilmington was read.

A memorial from captain Wendal Owry was presented to Congress :

*Ordered,* That it be referred to the board of treasury.

According to the order of the day Congress resolved itself into a committee of the whole, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have had under their farther consideration the matter referred to them, and have made some progress therein, but not having come to a conclusion, desire leave to sit again.

*Resolved,* That on Monday next Congress will resolve itself into a committee of the whole, to consider farther the report of the treasury on the ways and means of raising supplies, &c.

The board of war report “ that there are in Philadelphia between two and three thousand arms which might in a short time be repaired, if workmen could be procured to perform the service, but as great numbers of the artificers are in the militia, few of those arms will be speedily repaired unless the workmen are permitted to leave the field and work on the arms ;” whereupon

*Resolved,* That general Washington be directed to detach from the militia, as soon as possible, such a number of workmen as he shall think necessary to repair with dispatch the arms now in the city of Philadelphia, as there is no other mode of supplying the demands of the militia of Pennsylvania, Delaware and Maryland states, great numbers of whom are now in the field without arms.

*Ordered,* That the petition of John Young, “ for leave to depart from the continent,” be rejected.

A motion was made to advance a sum of money to the delegates of Georgia :

*Ordered,* That it be referred to the board of treasury.

The medical committee brought in a report, which was taken into consideration ; whereupon

*Resolved,* That the several issuing commissaries be directed to furnish the director general, or any of the deputy directors or their assistants, with such provisions as any of them shall from time to time demand by an order in writing for the use of any temporary hospital which shall be established.

ed, which order with the receipt of the steward endorsed thereon, shall be a sufficient voucher for such issuing commissary, who is also required to keep such vouchers separate, and make a separate entry of the same in his books, charging the director who ordered the same, therewith.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, *September 1, 1777.*

A letter of the 30th of August from general Washington at Wilmington; one of the 25th of the same month from general Gates, inclosing a letter of the 23d from general Arnold at Mohawk river, ten miles above fort Dayton; and one of the 22d from colonel Gansevort at fort Schuyler; another letter of the 28th of August from general Gates, inclosing one of the 24th from general Arnold; giving an account that the enemy have retreated from fort Schuyler with the greatest precipitation, leaving their tents standing, their provisions, ammunition, &c. were read.

Another letter of the 28th of August from general Gates, with a paper inclosed respecting the cloathing granted to soldiers; one of this date from general Arthur St. Clair, one of the 27th of August from Jonathan Hudson at Baltimore; one of the 28th from R. White, deputy commissary general of issues, respecting the rations claimed by the soldiers; and one of the 31st from general Sullivan, giving an account of his expedition on Staten-Island, were read:

*Ordered,* That the letters from the Northern department and that from general Sullivan be referred to the committee of intelligence:

That the letter of the 28th of August from general Gates, with the paper inclosed respecting cloathing, be referred to the board of treasury.

*Ordered,* That a copy of brigadier de Roche Fermoy's letter of the 25th of July, be delivered to general St. Clair:

That the letter from Jonathan Hudson, be referred to the board of treasury, and that from R. White to the board of war.

*Resolved,* That general Washington be directed to appoint a court of enquiry on the late expedition by general Sullivan against the British forces on Staten-Island.

*Ordered,*



*Ordered*, That 10,000 dollars be advanced to the marine committee, for public service at Baltimore, the said committee to be accountable.

*Resolved*, That a committee of three be appointed to devise a plan of supplying the army with necessaries on the most reasonable terms, and that they sit on this business and report as soon as possible :

The members chosen Mr. Morris, Mr. Chase and Mr. Duer.

*Resolved*, That three commissioners be appointed immediately to consider of the practicability of burning the enemy's fleet in Chesapeak bay ; that they consult with general Washington on this subject, and if it appears likely to be effected that they proceed with all diligence to the execution thereof, that they be authorized to purchase on the most reasonable terms they can, or employ any vessels that may be convenient for the purpose of fire ships, and that they have power to make use of any continental merchant ships or vessels that may be near the place for the same service ; and that they have authority to pursue all such measures as may be effectual to the right execution of this important business ; and in case it shall be judged proper to undertake the project, that the same rewards be given to those employed in the execution as are offered for the same purpose in Delaware river and at Rhode Island.

*Ordered*, That the appointment of commissioners be postponed till to-morrow.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That the president issue a warrant to the treasurer to transmit to John Gibson, esquire, auditor general eight hundred and eighty-four thousand dollars, for which the said auditor general is to be accountable :

That there be advanced to Matthew Irwine, agent to Joseph Trumbull, esq; late commissary general, 50,000 dollars, which Mr. Trumbull represents to be necessary to discharge contracts he is engaged in for provisions and for which he is to be accountable.

Whereas two bills have been presented to the delegates of Georgia, drawn on them by the governor of the state of Georgia, and both dated the 12th day of July last ; by one of which the said delegates are requested to pay to Thomas Scott, esquire, or order, the sum of 14,000 dol-

lars, for the purpose of recruiting men for the third battalion of the continental troops in that state ; and by the other to pay captain Clement Nash, or order, 5000 dollars for the same purpose ; and the said delegates having applied to Congress to advance the said money on account of the said state, to enable them to discharge the said bills,

*Ordered*, That the amount of the said two bills, being 19,000 dollars be accordingly advanced to the delegates of Georgia, for which that state is to be accountable, and that the same be considered and charged as part of the money agreed to be transmitted to Georgia for the use of the continental troops in that state.

*Ordered*, That there be advanced to captain D'Antignac 120 dollars for three months pay, for which he is to be accountable.

According to the order of the day Congress resolved itself into a committee of the whole, and after some time the president resumed the chair and Mr. Harrison reported that the committee have had under their further consideration the matters referred to them, but not having come to a conclusion desire leave to sit again.

*Resolved*, That to-morrow Congress will resolve itself into a committee of the whole, to consider farther the report of the treasury on the ways and means of raising supplies.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

#### TUESDAY, September 2, 1777.

Two letters of the 1st from general Washington at Wilmington, one of them inclosing a declaration of general Howe of the 27th August, also intelligence from capt. Hopkins and a deposition of Francis Alexander relative to brutal behaviour of some of the enemy ; also a letter of the 26th August from Pierre Van Cortlandt, president of the council of safety of New-York, with sundry papers inclosed ; one of the 27th of the same month from general Putnam, with the proceedings of courts martial on Amos Rose and Lemuel Ackerly ; and a letter from J. Hudson at Baltimore ; were read :

*Ordered*, That the letter from J. Hudson be referred to the board of treasury.

*Resolved*, That the president write to general Putnam, and inform him that in consequence of his recommendation Congress

gress agree to his pardoning Amos Rose and Lemuel Ack-  
erly who are sentenced to death by the judgement of a court  
martial.

*Resolved*, That the allowance of a major general in a sepa-  
rate department be extended and allowed to major general  
Putnam from the time he took the command of the forces at  
Peaskill, to be continued to him so long as he remains in that  
command.

*Ordered*, That the letters from general Washington, with  
the papers inclosed, be referred to the committee of intelli-  
gence.

A memorial from James Viellon and John Tennet was read:

*Ordered*, That it be referred to the committee of commerce.

A petition from captain John Brisben was read, praying  
for leave on account of his domestic affairs, to resign his com-  
mission :

*Ordered*, That he have leave to resign.

A petition from Pierre Burns, William Douglass and o-  
thers was read :

*Ordered*, That it be referred to the board of treasury.

A petition from Belcher P. Smith was read, praying for an  
augmentation of his salary as clerk in the secretary's office :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury reported, that there should  
be advanced to monf. du Coudray, for himself and the follow-  
ing gentlemen, who came with him to America, monf. du Cou-  
dray to be accountable ; viz. for monf. du Coudray 1000 dol-  
lars.

For captains Le Brun, Augustin Le Brun, Vareigne,  
Toufard, de Goy, Picard, Loyaute, and Parrison, each 250  
dollars

Monf. Noel, surgeon major, 300 dollars,

Lieutenats Parrissy, Coyeti, Matigny, Bouchard, Le  
Blanc, Nivan, Fonfrede, Pomereul Mattris, Begard, each  
200 dollars,

Ten serjeants, each 50 dollars; making in the whole 5800  
dollars :

*Ordered*, That the said sums be paid.

A motion being made for employing the gentlemen who  
came with monf. du Coudray.

*Ordered*, That it be referred to the board of war.

The committee on the treasury brought in a report; where-  
upon

*Ordered*,

*Ordered*, That there be paid to James Milligan, or his order, 1236 dollars, in discharge of a bill drawn by Jon. Trumbull, junior, deputy paymaster general in the Northern department, 5th August last, in favour of John Carter or order for that sum, it being for so much received of him by the said deputy paymaster general for the public service of the United States, for which the said deputy paymaster general is to be accountable.

In consequence of an adjustment by the commissioners of claims the auditor general reports,

That there is due,

To Thomas M<sup>c</sup>Intire, an ensign in captain Lennox's company of the third Pennsylvania battalion, a balance of pay and rations due to him from the 1st of September 1776 to the 7th of August 1777, when he arrived from Long-Island, 198 dollars, of which he received from James Hunter, paymaster to the 4th Pennsylvania battalion, 72 dollars; the balance is 126 dollars; and for rations due to him from the 1st of October to the 16th of November 1776, being 46 days at 8d per ration, is 8 16-90, both sums making 134 16-90 dollars:

To Allan M<sup>c</sup>Donnel, Alexander Allan junior, Renald and Archibald M<sup>c</sup>Donnels, prisoners at Reading, and their three servants, 12 weeks allowance from the 4th of June to the 27th of August at 28s. each for themselves, and 7s. 6d. for their servants, 260 dollars.

To Willing, Morris, and Co, for 10000 quills for the use of the treasury, war and secretary's office, 266 60-90 dollars:

To Robert Anderson, a private for his half pay from the 22d of May, the time he was discharged by general Maxwell's certificate, to the 22d of July, the time he enlisted in colonel Nicola's corps of invalids, 6 60-90 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That report be made from the committee of the whole of the resolution they have come to on the report referred to them.

The resolution being read,

*Ordered*, That it be re-committed.

*Resolved*, That general Washington be empowered to dispose of colonel Richardson's battalion in such way as he shall think proper, and that he send orders to colonel Richardson accordingly.

Congress was then resolved into a committee of the whole and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the



the matters referred to them and have made some progress therein, but not having come to a conclusion desire leave to sit again.

*Resolved*, That to-morrow Congress be resolved into a committee of the whole, to consider farther the report of the board of treasury on the ways and means of raising supplies.

In consequence of a report from the committee of intelligence.

*Ordered*, That general Sullivan's letter be published.

A motion was made to apply to the supreme executive council of Pennsylvania for a quantity of copper ;

Ordered to lie on the table.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, *September 3, 1777.*

A letter of the 2d from G. Bryan, esquire, vice president of the supreme executive council of Pennsylvania, was read, informing that " in consequence of the recommendation of Congress and their own persuasion of the propriety and necessity of the measure, the council have taken up several persons inimically disposed towards the American states ; that few of the Quakers among these are willing to make any promise of any kind ; and desiring the advice of Congress, particularly whether Augusta and Winchester in Virginia would not be suitable places in which to secure these persons ;" whereupon

*Resolved*, That Congress approve of the Quaker prisoners being sent to Virginia, and in the opinion of Congress that Stanton in the county of Augusta is the most proper place in the state of Virginia for their residence and security ; and with regard to the other prisoners mentioned in their letter, Congress leave it to the supreme executive council to do with them as they in their wisdom shall think best.

The supreme executive council having sent to Congress, by one of the delegates of their state, sundry original letters and papers found in the possession of some of the Quakers taken into custody, the same were read :

*Ordered*, That they be referred to the committee to whom general Sullivan's letter of the 25th of August was referred.

*Resolved*, That it be earnestly recommended to the several states to take effectual measures for importing or otherwise procuring, during the ensuing winter, such supply of arms, tents and other military stores, blankets, cloathing, medicines and other necessary articles for their respective militia as may be wanted for the next campaign, and that they report to Congress

Congress the species and quality of military stores manufactured in their respective states :

That the board of war be directed forthwith to lay before Congress a list of the military stores now in the magazines, and an estimate of such articles of foreign manufactures or produce as may be wanted for the next campaign.

*Ordered*, That the board of war take into consideration the merits of brigadiers Stark and Harkemer, and of colonel Gansewort and lieutenant colonel Willet, and report to Congress what testimonies of public gratitude should be shewn to those officers for their late signal exertions in the defence of their country.

Congress was resolved into a committee of the whole, and after some time the president resumed the chair and Mr. Harrison reported, that the committee have considered farther the matters referred to them and have come to a resolution, which he was ordered to deliver when congress would receive it :

*Ordered*, That it be now received.

The resolution being received was read and ordered to lie for farther consideration.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T H U R S D A Y, *September 4, 1777.*

A letter of the 3d from general Washington at Wilmington giving an account of a skirmish at Ironhill, and one of the 31st of August from J. Hudson, were read :

*Ordered*, That the general's letter be referred to the committee of intelligence.

A memorial from captain Jacob Bower, and one from Charles Seitzan, adjutant in major Ottendorf's corps, were read, desiring leave to resign their commissions :

*Ordered*, That the said officers apply to general Washington.

A memorial from E. Blaine was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report, which was taken into consideration ; whereupon

*Resolved*, That the pay of Belcher P. Smith, clerk in the secretary's office, be augmented to fifty five dollars a month.

*Ordered*, That there be advanced to colonel Lewis Nicola, of the invalid regiment, 658 4-90 dollars, for the pay of that corps for two months from the 20th of June to the 19th of August, for which he is to be accountable.

*Resolved*, That a committee of three be appointed to consider

der under what regulations and restrictions regimental officers shall for the future receive their rations.

The members chosen, Mr. R. H. Lee, Mr. Gerry, and Mr. Folsom.

The board of war report, "that they have taken into consideration the dispute with regard to the relative rank of the colonels Cortlandt, Gansevort, Dubois and Livingston, commanding four of the New-York regiments, and find that a committee of the convention of that state, being properly authorised for that purpose, did appoint the officers above mentioned to their respective regiments in the following order, viz. colonel Cortlandt second, colonel Gansevort third, colonel Dubois fourth, and colonel Livingston fifth. As this arrangement must be presumed to have been founded on principles of justice and public utility, the board are of opinion, that it would be highly inexpedient to make any alteration in the relative rank of these officers:"

*Resolved*, That Congress agree with the board in their report.

A memorial from George Emerson was read:

*Ordered*, That it be referred to the board of treasury.

A letter from count Pulaski was read.

Congress took into consideration the report from the board of war of the 30th of August.

The question put, "to appoint a commander of the horse," passed in the negative.

In consequence of an adjustment by the commissioners, the auditor general reports,

That there is due,

To Isaac Snowden, for Alexander Brown's account of 124 meals supplied the militia, and for Robert Patterson's account of boarding two sick soldiers of colonel Weeden's battalion, 52 76,90 dollars:

*Ordered*, That the said accounts be paid.

*Ordered*, That the board of war make such dispositions as they shall judge prudent and necessary for removing, at the shortest notice to a place of security, all the military stores belonging to the continent, in case the exigency of affairs should render it necessary.

*Resolved*, That it be recommended to the executive council of Pennsylvania to give orders, that all the militia of their state hold themselves in readiness to march at a moment's warning, and that their arms be put in as good condition as possible: that it be farther recommended to the said executive

council to call out five thousand militia from the city and county of Philadelphia and the counties most adjacent :

That it be earnestly recommended to the militia to appear with what arms they have or can procure, and otherwise equipped in the best manner they may be able, and that they rendezvous on the heights of Derby or at such other place as the commander in chief shall direct.

*Resolved*, That it be recommended to the governor of New-Jersey forthwith to order out three thousand of the militia of that state, for the purpose of reinforcing the army under general Washington, the said militia to rendezvous at Bristol with as much dispatch as possible.

On motion by the delegates of North-Carolina "that the president order payment of the bills drawn by the treasurer of North-Carolina, agreeably to the resolve of the 14th of March last without applying to Congress.

*Ordered*, That the said bills be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, September 5, 1777.

A letter of the 4th from governor Livingston at Haddonfield, and a letter from colonel Mason to colonel Harrison, were read :

*Ordered*, That the letter from colonel Mason be referred to the board of war.

*Ordered*, That the petition and account of colonel Dugan, on which the board of treasury reported on the 11th of February, be re-committed to the said board.

The committee on foreign applications brought in a report, which was read, and after sundry amendments made and part agreed to,

*Resolved*, That it be re-committed.

A letter of this day from Thomas Wharton, president of Pennsylvania, was read, informing that the persons detained in the mason's lodge have had notice of their going to-morrow to Augusta, and desiring an answer "whether the removal of those persons may not be relaxed as to such as would yet swear or affirm allegiance to this state;" also inclosing a remonstrance to the council of Pennsylvania from twenty persons in the lodge : whereupon

*Resolved*, That the supreme executive council be informed, that Congress have no objection to the enlargement of such persons



sons now confined in the lodge as will swear or affirm allegiance to this state.

A remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Samuel Pleasants and Samuel R. Fisher, was read :

Ordered to lie on the table :

The committee to whom the papers sent to Congress by the supreme executive council of Pennsylvania were referred, brought in a report, which was read :

*Ordered*, That the consideration thereof be postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, September 6, 1777.

A letter of the 5th from general Washington at Wilmington, and one of the same date from Thomas Wharton junior, president of Pennsylvania, were read :

The committee on the treasury brought in a report ; whereupon

*Ordered*, That there be paid to David Nesbit or order 250 dollars, in discharge of a bill drawn in his favour by John Ashe, esq. public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for the use of the United States, the farther sum of 500 dollars in discharge of another bill drawn in his favour by the said public treasurer of North-Carolina on the continental treasurer, both the said bills bearing date the 10th of May last ; and the further sum of 125 dollars in discharge of another bill without date, drawn in favour of the said David Nesbit by the said public treasurer of North-Carolina on the continental treasurer ; the two last bills being expressed to be for the use of the state of North-Carolina ; the whole of the said sums amounting to 875 dollars, for which the said state is to be accountable, these sums being in part of the 500,000 dollars ordered to be advanced to that state.

*Ordered*, That there be paid to James Millegan, esq; or his order, 28 18-90 dollars, being so much disbursed by him at the request of the committee of Congress on Indian affairs towards making up a present for the Caghnawaga Indians and an Oneida who paid a visit to Congress last month.

*Ordered*, That a warrant issue on the commissioner of the loan office in the state of Pennsylvania in favour of the marine committee for 7000 dollars, in consequence of their having drawn on the said commissioner two warrants dated the 12th

December last for the said sum, one in favour of John Hancock, Samuel Adams, and Elbridge Gerry for 1000 dollars, and the other in favour of the said Elbridge Gerry for 6000 dollars, which sums were borrowed by the marine committee and delivered to captain John Brown of Massachusetts-Bay for the use of the navy; the said marine committee to be accountable.

*Ordered*, That there be advanced to the marine committee 4000 dollars for the use of that department, and for which they are to be accountable.

The committee on the treasury farther report, that they have taken into consideration the letter of 28th August from general Gates respecting cloathing for the army under his command; that it appears from the cloathier general's report, that he has ordered considerable supplies of cloathing to be forwarded to the army in the Northern department from Boston, and that he has little doubt of being able to furnish in the course of the year the specific articles of cloathing directed to be given as a bounty to the troops; and as it will be equally disadvantageous to the soldiers and to the service should they receive money instead of such cloathing, the board disapprove of the stoppages made by the deputy paymaster general in the Northern department out of the pay of the troops in that department on account of cloathing, and direct the money to be returned, except in cases where a regiment shall have been furnished with more cloathing than the bounty; that the greatest care ought to be taken to do justice to the soldiers, as well as the public, in this essential article: it is not sufficient, in the opinion of the board, that the cloathier general charges the regiment with the articles delivered, and takes the receipt of the colonel or commanding officer, and that the colonel or commanding officer on delivering the cloathing to the captains or commanding officers of each respective company, takes his receipt; every commanding officer of a company ought moreover strictly to be required to keep a cloathing account with his company, distinguishing the several articles delivered to each non-commissioned officer and private, and taking receipts for the same as his vouchers; and when each non-commissioned officer and private respectively shall have received his bounty of cloathing, the commanding officer of the company to which he belongs shall

shall deliver the account and receipts to the commanding officer of the regiment, to enable him to settle the cloathing account with the cloathier general as well as to discover whether equal justice has been done to the company:

That such troops as have not been supplied with cloathing ought to be furnished with their full bounty without delay, which the board have earnestly recommended to the attention of the cloathier general, and he on his part has engaged to exert every means in his power to accomplish:

That such of the troops as at their own expence shall have provided themselves with any of the articles of cloathing allowed as a bounty, or shall not draw their cloathing in the course of the year, shall be entitled to receive the full value thereof at the average price which the cloathing of the army shall cost the public.

And whereas when the bounty of cloathing was provided by Congress, it was conceived that it might be impracticable to obtain a sufficient quantity of cloth for regimental coats for the troops, and for that reason two hunting shirts were substituted; but in the event so considerable a supply has been procured, that the cloathier general has been enabled to furnish most of the troops with regimental coats instead of hunting shirts, and experience has shewn that a further alteration of the articles of cloathing allowed as a bounty may be made to the advantage of the foldiers and without loss to the public, and therefore it is the opinion of the committee that it be

*Resolved*, That the cloathier general be directed, as far as he shall have it in his power, to furnish all the non-commissioned officers and privates in the service of the United States, who have not yet received their bounty of cloathing; at their election, either with the several articles allowed by Congress, in the resolution of 8th October, 1776, or in lieu thereof the following articles, viz.

- One regimental coat at 8 60-90 dollars,
- one jacket without sleeves 2 60-90,
- one pair buckskin and two pair linen or woollen breeches 8 dollars,
- one hat or leather cap 2 60-90 dollars,
- two shirts 8 dollars,
- one hunting shirt 4 dollars,
- two pair overalls 6 dollars.

two pair of stockings 4 dollars,  
 two pair of shoes 6 dollars,  
 one blanket 6 dollars; making in all 56 dollars:

But as the cost of the articles last specified exceeds that of the cloathing allowed as a bounty to the troops by 8 dollars and 30-90 of a dollar, so much shall be stopped out of the pay of every non-commissioned officer and private, who shall be supplied in the manner last directed, as will make the amount of cloathing he shall receive equal to the value of the bounty of cloathing, which upon an average of the price of the several articles is estimated at 47 60-90 dollars:

The said report and resolves being read twice, on the question put

*Resolved*, That Congress agree to the same.

*Resolved*, That there be allowed to Michael Hillegas, esq; treasurer of the United States, from the 6th day of August 1776, when Mr. Clymer resigned the office of joint treasurer, a salary after the rate 3200 dollars per annum, for discharging the duties of that office.

Congress took into consideration the report of the committee to whom were referred the papers transmitted by the supreme executive council of Pennsylvania; whereupon

*Ordered*, That the papers as reported by the committee from no. 1 to no. 11, inclusive, be published.

Congress took into consideration the remonstrance from Israel Pemberton, James Pemberton, John Pemberton, Thomas Wharton, Henry Drinker, Thomas Fisher, Samuel Pleasants, and Samuel R. Fisher, who were taken into custody upon the recommendation of Congress, praying to be heard; whereupon

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania to hear what the said remonstrants can alledge to remove the suspicions of their being disaffected or dangerous to the United States, and act therein as the said council judge most conducive to the public safety.

The committee on foreign applications, to whom their report with the amendments was re-committed, brought in another report, which was read:

*Ordered* to lie on the table.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY,



MONDAY. September 8, 1777.

A letter of the 7th from R. H. Harrison, secretary to general Washington, at Newport ; one of the 7th from governor Livingston of New-Jersey ; one of the 30th August from governor Henry of Virginia ; one of the same date from Colonel Morgan at fort Pitt ; one of the 1st September from governor Trumbull at Lebanon ; one of the 13th August from the council of Massachusetts-Bay, with sundry papers therein referred to ; one of the 7th from monsieur du Coudray ; one of the 6th from the council of Pennsylvania, with a list of the persons arrested in pursuance of a resolution of Congress of the 28th August ; were read.

*Resolved*, That general Putnam be directed to order immediately a detachment of 1500 continental troops, under the command of a brigadier, to hold themselves in readiness to cross the North river when ordered by general Washington.

*Ordered*, That a copy of the foregoing resolution and of governor Livingston's letter be forthwith transmitted to general Washington.

*Ordered*, That governor Trumbull's letter be referred to a committee of five ;

The members chosen, Mr. J. Adams, Mr. R. H. Lee, Mr. Duer, Mr. Gerry and Mr. Wilson.

*Ordered*, That monsieur du Coudray's letter be referred to general Washington, and that he be desired to give such directions thereon as he shall think most conducive to the public good.

*Ordered*, That the letters from the council of Massachusetts-Bay, with the papers accompanying the same, and also the letter from colonel Morgan, be referred to the board of war.

A letter from general Mifflin was read, and referred to the board of treasury.

A letter of this day from T. Warton, president of Pennsylvania, was read:

*Ordered*, That it be referred to the board of war.

Congress took into consideration the report of the committee on foreign applications, wherein they set forth,

That besides a number of officers who are come from Europe and the West-Indies of their own accord to solicit for rank and employment in the American army, there are others who have proceeded upon the encouragement of

of conventions made and signed at Paris by Silas Deane, esquire, as agent for the United States of North-America ; that Mr. Deane had no authority to make such conventions, and that Congress therefore are not bound to ratify or fulfill them :

Your committee further report, that the baron de Kalb and the viscount de Mauroy, with a number of officers who came with them from France, have offered their service, provided their engagements with Mr. Deane, in respect to rank, are fulfilled ; but that the American army having been arranged before the arrival of these gentlemen in America, their expectations cannot be complied with without deranging it and thereby injuring at so critical a juncture the American cause : that the zeal however of these gentlemen and their consequent expences merit the attention of Congress ; wherefore your committee report the following resolve :

*Resolved*, That the thanks of Congress be given to the baron de Kalb and the viscount de Mauroy, with the officers who accompany them, for their zeal in passing over to America to offer their service to these United States, and that their expences to this continent and on their return to France be paid.

*Resolved*, That Congress agree to the said report and resolve.

*Ordered*, That the baron de Kalb and the viscount de Mauroy be furnished with a copy of the foregoing report and resolution, attested by the secretary ; also that any of the officers accompanying them, who may desire it, be furnished with such a copy.

Whereas William Imlay, a prisoner of the United States, upon suspicion of disaffection has offered to take an oath of allegiance to the state of New-York, of which he is a citizen ; therefore

*Resolved*, That it be recommended to the supreme executive council of the state of Pennsylvania to discharge the said William Imlay on his parole of honor " that he will forthwith repair to Kingston in the state of New York, and take the oath of allegiance to the said state."

Congress took into consideration the letter of the 6th from the council of Pennsylvania, wherein they inform " that at the time the resolves of Congress of the 6th came to them, the council were disposing of every thing for the departure of the gentlemen confined in the mason's

son's lodge; that the hearing of some may be censured as a partial proceeding, and therefore they wish the same indulgence may be granted to all: That as this may be tedious, and, in the midst of the present load of important business before council, of which that of embodying the militia is not the least part, they have not leisure to undertake it; that, as much injury will ensue to their commonwealth if council at present yield any further attention to this matter, they therefore earnestly request that Congress may hear and dispose of the gentlemen prisoners in the mason's lodge, and also of those who are on promise or parole, in such manner as to their wisdom shall seem best, and that for this purpose a list of the prisoners is herewith sent:" whereupon

*Resolved*, That it would be improper for Congress to enter into any hearing of the remonstrants or the other prisoners in the lodge, they being inhabitants of Pennsylvania; and therefore as the council decline giving them a hearing for the reasons assigned in their letter to Congress, that it be recommended to the said council to order the immediate departure of such of the said prisoners as yet refuse to swear or affirm allegiance to the state of Pennsylvania, to Stanton in Virginia.

An appeal from the judgment of a court of admiralty for the state of Pennsylvania, on the libel "Andrew Caldwell against Wingate Newman," was lodged with the secretary and referred to the committee for hearing and determining appeals.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, September 9, 1777.

A letter of the 26th of August from colonel G. Morgan, with two letters to him from brigadier Hand, ordering him to lay in provisions for 2000 men for 6 months, with an estimate of the expence, was read:

*Ordered*, That the same be referred to the board of treasury.

The delegate from Rhode-Island and Providence plantations laid before Congress a resolution passed by the general assembly of that state, which was read and is as follows:

"In the lower house, August 22, 1777. *Resolved*, That the delegates appointed or who may be appointed to represent this state in Congress be, and they or either of them,

are hereby impowered, to represent said state in Congress, until they or either of them shall have due notice of their re-election, or until the delegates who may be appointed in their room shall take their seats in Congress; the act directing the election of the said delegates for one year to the contrary notwithstanding. Voted and past; per order, J. Lyndon, clerk. In the upper house; read the same day and concurred. By order, R. J. Holme, deputy secretary."

A letter of the 7th from general Putnam and one of the 2d from Peter Colt, both directed to W. Buchanan, commissary general of purchases, were read:

*Ordered*, That they be referred to a committee of three; The members chosen Mr. Duane, Mr. Clark and Mr. Gerry.

Congress took into consideration the resolution reported from the committee of the whole; whereupon it was moved, that it be divided and the sense of Congress taken on it, reduced to distinct propositions: it was then moved

That the interest which shall arise after the date of this resolution on loan office certificates which shall be issued in pursuance of former resolutions of Congress, be annually paid at the respective loan offices in bills of exchange on the commissioners of the United States in Paris.

New-Hampshire,	Mr. Frost,	ay	} ay
	Mr. Folsom,	ay	
Massachusetts-Bay,	Mr. S. Adams,	ay	} ay
	Mr. J. Adams,	no	
	Mr. Gerry,	ay	
	Mr. Lovell,	ay	
Rhode-Island,	Mr. Marchant,	ay	} ay
Connnecticut,	Mr. Dyer,	ay	
	Mr. Law,	ay	} ay
	Mr. Williams,	ay	
New-York,	Mr. Duane,	no	} *
New-Jersey,	Mr. Clark,	ay	
	Mr. Witherspoon,	ay	} ay
Pennsylvania,	Mr. Wilson,	ay	
	Mr. Morris,	ay	
	Mr. Roberdeau,	ay	
	Mr. Clymer,	ay	

Delaware,



Delaware,	Mr. Reed,	ay	}	ay
Maryland,	Mr. Chase,	ay		
Virginia,	Mr. Harrison,	no	}	ay
	Mr. R. H. Lee,	ay		
	Mr. Jones,	ay	}	ay
North-Carolina,	Mr. Harnett,	ay		
South-Carolina,	Mr. Middleton,	no	}	no
	Mr. Heyward,	ay		
	Mr. Laurens,	no		

So it was resolved in the affirmative.

It was then moved, That such interest be paid in bills of exchange at the rate of six per centum per annum: whereupon an amendment was moved, to strike out "six" and insert "five"—

New-Hampshire,	Mr. Folsom,	no	}	no
	Mr. Frost,	no		
Massachusetts-Bay,	Mr. S. Adams,	no	}	no
	Mr. J. Adams,	no		
	Mr. Gerry,	no		
	Mr. Lovell,	no		
Rhode-Island,	Mr. Marchant,	no	}	no
	Mr. Dyer,	ay		
	Mr. Law,	no		
New-Jersey,	Mr. Williams,	no	}	no
	Mr. Witherpoon,	no		
	Mr. Clark,	ay		
Pennsylvania,	Mr. Morris,	ay	}	no
	Mr. Clymer,	no		
	Mr. Roberdeau,	no		
	Mr. Wilson,	no		
Delaware,	Mr. Reed,	ay	}	ay
	Mr. Chase,	ay		
Maryland,	Mr. Harrison,	ay	}	ay
	Mr. R. H. Lee,	no		
Virginia,	Mr. Jones,	ay	}	no
North-Carolina,	Mr. Harnett,	no		
South-Carolina,	Mr. Heyward,	no	}	no
	Mr. Laurens,	no		

So it passed in the negative.

Congress being informed that colonel Forman was at the door and had a message from general Washington.

Ordered, That he being introduced.

Colonel Forman being introduced, delivered the message and withdrew.

Congress

Congress having received information from general Washington, that a great part of the enemy's fleet have sailed with intention, as it is apprehended, to come round into the Delaware river; and whereas general Washington hath requested that a proper look out be kept up and intelligence sent him with as much dispatch as possible of the movements of the said fleet.

*Ordered*, That the executive council of the state of Pennsylvania be informed thereof, and that it be recommended to them to attend to this matter.

*Ordered*, That general Washington appoint a proper person at head-quarters to write to the president twice a-day, or oftener if necessary, and give information of the position and movements of the armies; and that the board of war appoint proper expresses for conveying the said letters with the utmost expedition.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, *September 10, 1777.*

A letter of the 8th from general Washington, 8 miles from Wilmington, one of the 9th from doctor Shippen, director general of the hospital; also a return of fundaries received from Christiana bridge, seized by colonel E. Blaine, deputy commissary general of purchases, for the use of the continental army; were read:

*Ordered*, That the letter from doctor Shippen and the return be referred to the board of treasury.

The committee on the treasury brought in a report, whereupon

*Ordered*, That there be advanced to Anthony Butler, agent to major general Mifflin, quarter master general agreeable to his application by letter to Congress dated 6th instant, 150,000 dollars for the use of his department, and for which he is to be accountable:

That there be advanced to William Buchanan, commissary general of purchases, 100,000 dollars for the use of his department, and for which he is to be accountable:

To John Mackenzie, a prisoner, 20 dollars to defray his travelling expences to Fredericktown in Maryland, to which place he is ordered to repair by the board of war.

To lieutenant de la Colombe, for his pay as lieutenant  
from

from 1st December 1776, to 1st September 1777, 9 months 243 dollars, for which he is to be accountable :

To colonel Dugan, by the hands of his wife, 300 dollars on account of his arrears of pay, and for which he is to be accountable :

To the secret committee 2500 dollars, for which they are to account, and that the same be paid by warrant on the loan office in the state of Rhode-Island.

*Ordered,* That that the quarter master general lay his accounts as soon as may be before the board of treasury, in order for adjustment, and immediately lay before Congress a list of all deputies and assistants employed in the quarter masters department, and how and where employed.

In consequence of an adjustment by the commissioners of claims, the auditor general reports,

That there is due

To doctor John Morgan, late director general of the American hospitals, the ballance of his account current as adjusted by the commissioners of accounts at Hartford 12th July last, the sum of 613 40-90 dollars, and the farther sum of 200 dollars which he advanced to doctor Warren, surgeon of the general hospital, to defray expences, &c. which sum was stolen from the said Warren as per certificates taken on oath before the commissioners at Stamford, and which the board of treasury agrees should be allowed to doctor Morgan ;

Also the pay of director general from 31st December 1776, to 12th July 1777, being 194 days at 6 dollars a day, which time he employed in taking accounts and delivering up the medicines, hospital stores and settling accounts with the surgeons, mates, &c. and attending the commissioners at Hartford, 1164 dollars ; for 1179 rations from 31st December 1776 to 10th May, at 8-90 dollars, 104 72-90 dollars, and for 567 rations from 10th May to 12th July, at 10-90, is 63 dollars, making in the whole 2145 22-90 dollars :

To George Everfon, his account for removing military stores from different parts of New-Jersey to Philadelphia, &c. last winter, also expences and wages as assistant commissary of military stores from the 10th July 1776 to 16th January 1777, he having been employed in that capacity by governor Livingston and the commissary general of the department, 272 63-90 :

T.

To Adam Good, 46 meals supplied continental troops on their march to camp, 5 18-90 d llars :

*Ordered*, That the said accounts be paid.

A memorial from captain Jost Driesbach and a letter from John Smith to R. H. Lee, esq; were laid before Congress.

*Ordered*, That they be referred to the board of treasury.

Congress proceeded to the election of a paymaster for the North-Carolina light-horse in the service of the continent, and the ballots being taken

William Hardy was chosen.

Congress resumed the consideration of the resolution reported from the committee of the whole ; whereupon

It was moved, " That the interest which shall arise after the date of this resolution on certificates already issued, be paid in bills of exchange."

New-Hampshire,	Mr. Folsom,	ay	} ay
	Mr. Frost,	ay	
Massachusetts-Bay,	Mr. S. Adams,	ay	} ay
	Mr. J. Adams,	ay	
	Mr. Gerry,	ay	
	Mr. Lovell,	ay	
	Mr. Marchant,	ay	
Rhode-Island,	Mr. Dyer,	no	} ay
Connecticut,	Mr. Williams,	ay	
	Mr. Law,	ay	
New-Jersey,	Mr. Witherspoon,	ay	} ay
	Mr. Clark,	ay	
Pennsylvania,	Mr. Morris,	ay	} ay
	Mr. Roberdeau,	ay	
	Mr. Wilson,	ay	
Delaware,	Mr. Reed,	ay	} ay
Maryland,	Mr. Chase,	no	
Virginia,	Mr. Harrison,	no	} no
	Mr. R. H. Lee,	ay	
	Mr. Jones,	no	
North-Carolina,	Mr. Penn,	ay	} ay
	Mr. Harnett,	ay	
South-Carolina,	Mr. Heyward,	ay	} divided.
	Mr. Laurens,	no	
Georgia,	Mr. Brownson,	no	} no

So it was resolved in the affirmative.

The resolution of the committee of the whole was read and agreed to, viz.

*Resolved*,



*Resolved*, That the interest which shall arise after the date of this resolution on loan-office certificates already issued or which shall be issued before the first day of March next, be annually paid at the respective loan-offices in bills of exchange on the commissioners of the United States in Paris, at the rate of five livres of France for every Spanish milled dollar due for interest as aforesaid, or in continental bills of credit, at the option of the respective lenders:

*Ordered*, That the same be published.

*Ordered*, That five members be added to the committee appointed to consider the letter of S. Hopkins, esquire, and the proceedings of the committees from New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut and New-York ;

The members chosen, Mr. Duane, Mr. Gerry, Mr. Marchant, Mr. Morris, and Mr. Dyer.

*Ordered*, That the committee prepare an earnest recommendation to the several states to proceed to taxation, and that the said committee prepare an estimate of the quotas to be raised in each state by such taxation, having regard to their present circumstances, condition and abilities, but without respect to the quota hereafter to be assigned to each state for defraying the expence of the war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, September 11, 1777.

A letter of the 10th and one of 11th from R. H. Harrison were read, the last informing that the enemy are advancing, and that their present appearance indicates a disposition to pursue the route by Chad's ford :

*Ordered*, That the last be referred to the committee of intelligence.

The committee to whom it was referred " to consider under what regulations and restrictions regimental officers shall for the future receive their rations," brought in a report, which was read and agreed to as follows :

Whereas by the 24th article of the regulations of the department of the commissaries it is provided, " that no provisions be issued to any persons, but by the written order of the commander in chief, the commander of any department, the quarter master general, any of his deputies or assistants,

assistants, the commanding officer of a party describing the person in whose favour such order shall be given, or upon a return signed by the commanding officer of a corps or detachment thereof, whether commissioned or non-commissioned officer, or by the regimental quarter-master :” and whereas by the last clause of the said article the issuing commissaries, upon receiving such returns, have considered themselves authorised or obliged to issue provisions indiscriminately to the officers and privates therein contained, and many inconveniencies have arisen therefrom :

*Resolved*, That the officers of each regiment, corps and detachment, be empowered to divide themselves, as often as they shall think proper, into messes, not exceeding six to a regiment, and to signify the same to the officer signing the provision return, who shall thereupon distinguish in each return the names of the officers so divided into messes ; and the issuing commissaries are respectively directed to deliver to the head of each mess as aforesaid the rations due to the same, or such part thereof as the head of the mess shall require, taking receipts for the same on the respective returns and charging the whole of the rations delivered to the officers and privates contained in each return to the proper regiment, corps or detachment, as directed in the 22d article of the said regulations.

A motion being made, was referred to a committee of three ;

The members chosen, Mr. J. Adams, Mr. Chase and Mr. Jones.

The committee on foreign applications laid before Congress the demands of the baron de Kalb and the viscount de Mauroy, in behalf of themselves and the gentlemen who accompanied them, for their expences on this continent and return to France :

*Ordered*, That the same be referred to the board of treasury.

A memorial from David Forman, for himself and partners, was read, praying for a guard of one hundred men to protect a salt works, which, on obtaining such a guard they undertake to erect.

*Ordered*, That it be dismissed.

The committee to whom the memorial of doctor Allison and others was referred, report, “ that they have conferred fully with the printers, &c. in this city and are of opinion,

opinion, that the proper types for printing the bible are not to be had in this country, and that the paper cannot be procured, but with such difficulties and subject to such casualties as render any dependance on it altogether improper: that to import types for the purpose of setting up an entire edition of the bible, and to strike off 30,000 copies, with paper, binding, &c. will cost 10,272l. 10s. 0d. which must be advanced by Congress to be reimbursed by the sale of the books: that in the opinion of the committee, considerable difficulties will attend the procuring the types and paper; that afterwards the risque of importing them will considerably enhance the cost, and that the calculations are subject to such uncertainty in the present state of affairs, that Congress cannot much rely on them: that the use of the bible is so universal, and its importance so great, that your committee refer the above to the consideration of Congress, and if Congress shall not think it expedient to order the importation of types and paper, the committee recommend that Congress will order the committee of commerce to import 20,000 bibles from Holland, Scotland or elsewhere into the different ports of the states of the Union:”

Whereupon it was moved, That the committee of commerce be directed to import 20,000 copies of the bible—

New-Hampshire,	Mr. Folsom,	ay	} ay
	Mr. Frost,	ay	
Massachusetts-Bay,	Mr. S. Adams,	ay	} ay
	Mr. J. Adams,	ay	
	Mr. Gerry,	ay	
	Mr. Lovell,	ay	
Rhode-Island,	Mr. Marchant,	ay	} ay
Connecticut,	Mr. Dyer,	ay	
	Mr. Law,	ay	} ay
	Mr. Williams,	ay	
New-York,	Mr. Duane,	no	} *
New-Jersey,	Mr. Wither Spoon,	ay	
	Mr. Clark,	ay	} ay
Pennsylvania,	Mr. Wilson,	ay	
	Mr. Roberdeau,	ay	} ay
Delaware,	Mr. Reed,	no	
Maryland,	Mr. Chase,	no	} *
Virginia,	Mr. Harrison,	no	
	Mr. F. L. Lee,	ay	} no
	Mr. Jones,	no	

North-Carolina,	Mr. Harnett,	<i>no</i>	} <i>no</i>
South-Carolina,	Mr. Middleton,	<i>no</i>	
	Mr. Heyward,	<i>no</i>	} <i>no</i>
	Mr. Laurens,	<i>ay</i>	
Georgia,	Mr. Brownson,	<i>ay</i>	} <i>ay</i>

So it was resolved in the affirmative.

A motion being made,

*Ordered*, That the consideration thereof be postponed to Saturday next.

Adjourned to six o'clock. *P. M.* at which time met, and postponing the several matters to this day referred, adjourned to ten o'clock to-morrow.

FRIDAY, September 12, 1777.

Congress being called by the president at six o'clock, *A. M.*

A letter of the 11th, five o'clock, *P. M.* from R. H. Harrison at Chad's ford, and one of the same date, eleven o'clock, *P. M.* from general Washington at Chester, were read.

*Ordered*, That they be published.

Adjourned to ten o'clock.

*Ten o'Clock, A. M.*

*Ordered*, That 500 dollars, be advanced to the delegates of New Hampshire, for the use of their state, which is to be accountable.

*Resolved*, That an express be immediately sent to general Putnam, with orders to send forward the 1500 continental troops, lately directed to be held in readiness, with all possible expedition, to reinforce the army under general Washington; and that general Putnam be directed for the greater expedition, to disencumber the troops of all heavy baggage and such as is not absolutely necessary; the heavy baggage to be sent after them:

That an express be sent to general Dickinson, desiring him to come forward with all possible dispatch with the militia of New-Jersey to reinforce the army under general Washington.

That expresses be immediately sent to brigadier general Smallwood and colonel Gift, directing them to come forward with all possible dispatch with the continental troops and militia under their respective commands to reinforce general Washington's army, and that, for greater dispatch they disencumber themselves of all heavy and unnecessary baggage:

That



That the president and supreme executive council of Pennsylvania be requested, in the name of Congress, to call upon the militia of Philadelphia and parts adjacent to go forth immediately and reinforce general Washington's army, for the defence of this city :

That an express be sent to colonel Gibson, of the battalion of Virginia troops at Alexandria, to desire him to proceed immediately with his regiment to reinforce the army under general Washington, provided the orders received from the government of Virginia do not prevent him ; and if he is restrained by any such orders, that he dispatch an express without delay to Williamsburgh and inform the governor and council, that it is the desire of Congress that the said regiment be immediately sent forward for the purpose aforesaid ; and that he hold himself in readiness to execute the orders he shall receive from the governor.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That there be advanced to the state of Maryland, upon the application of the governor, 20,000 dollars, the said state to be accountable.

*Ordered*, That a warrant issue on the commissioner of the loan office in the state of Maryland, in favour of the governor of the said state, upon his application, for 30,000 dollars, for which the said state is to be accountable :

That there be paid to Abner Nash, esquire, 650 dollars, in discharge of two bills drawn by John Ashe, esquire, public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for payment and support of the continental troops in the said state ; the one dated 5th March 1777, for 500 dollars, in favor of William Dry, esquire, the other dated 10th May 1777, for 150 dollars, in favor of James Payenneville, and both transferred to the said Abner Nash, and for which the state of North-Carolina is to be accountable ; the same being in part of the money appropriated by Congress for the use of that state :

That there be advanced to Mess. Rudolph and Co. 3000 dollars on account of a debt due to them from the United States, and for which they are to be accountable.

An appeal from a sentence passed in the court of admiralty for the state of South-Carolina, on the libel Edward Weyman against George Arthur, was received and referred to the committee for hearing and determining appeals,

Adjourned to five o'clock.

*Five o'Clock, P. M.*

*Ordered*, That the continental navy board without delay provide a proper boat or vessel for the marquis de la Fayette, and one for mons. du Coudray, to convey them and their attendants and baggage to New-Jersey.

*Resolved*, That the commissary general of purchases be directed to purchase on the most reasonable terms he can, 30 hogsheads of rum, and that the same be presented to the army and distributed among the soldiers in such manner as the general shall direct, in compliment to the soldiers for their gallant behaviour in the late battle of Brandywine.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, September 13, 1777.

A letter of this day from governor Livingston was read, also a letter of the 6th from governor Johnson of Maryland to general Washington.

A memorial from George Ewing, commissary of hides, was read, whereupon

*Ordered*, That 1000 dollars be advanced to G. Ewing, he to be accountable.

A letter of the 11th from J. Shallus at Lancaster; one of the 13th from mons. du Coudray, and one of the same date from the continental navy board were read.

*Resolved*, That general Washington be directed to give the necessary orders for compleating the defences of Delaware river, and to employ for that purpose such officers, engineers and troops as he shall think proper.

*Ordered*, That 50,000 dollars be advanced to the continental navy board for public service, the said board to be accountable.

Whereas Congress have received information that mons. Lewis de Fleury, during very gallant exertions in the late battle of Brandywine, near Birmingham meeting-house, had his horse shot under him;

*Resolved*, That the quartermaster general present him with a horse, as a testimonial of the sense Congress have of mons. de Fleury's merit.

The committee on the treasury brought in a report, whereupon

*Ordered*, That a warrant issue on the commissioner of the loan office in the state of Pennsylvania, in favour of doctor Shippen, director general of the hospital, for 50,000 dollars, for the use of his department, he to be accountable.

That

That there be paid to Robert Patton 136 dollars, for 102 days attendance as messenger of Congress, at 1 1/3 dollar a day :

That there be advanced to monf. Lotbinier, chaplain in the service of the United States, 48 dollars on account of his pay and rations, and for which he is to be accountable.

*Ordered,* That the letter from monf. du Coudray, with an account of the French officers inclosed, of whom he proposes to form a company of volunteers to join the army, and for whom he solicits brevet commissions, be referred to the board of war.

*Resolved,* That general Washington be directed to order a court of enquiry into the conduct of brigadier general de Borre since his appointment, and that in the mean while brigadier general de Borre be recalled from the army.

A letter from monf. du Coudray was read :

Ordered to lie on the table.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

S U N D A Y, September 14, 1777.

A letter of the 13th from general Washington at Germantown, and two of the same date from general Dickinson, were read.

The president informed Congress, that in consequence of the resolution passed yesterday, brigadier general de Borre had waited on him and offered to resign his commission ;

*Resolved,* That his resignation be accepted.

A letter of this day from Thomas Wharton junior, esq president of the council of Pennsylvania, was read, requesting an advance of 200,000 dollars for public service ; whereupon

*Ordered,* That 200,000 dollars be advanced to the state of Pennsylvania for public service, the said state to be accountable.

*Resolved,* That it be recommended to the supreme executive council of the state of Pennsylvania immediately to appoint proper and discreet persons to take into possession any linens, blankets and other woollens, shoes, spirits and other necessaries for the use of the army, which they may find in any stores or warehouses in the city of Philadelphia ; giving a certificate expressing the quantity and value, and to cause the goods so taken to be conveyed to some secure place to prevent their falling into the hands of the enemy.

A letter of the 3d and one of the 10th from general Gates, inclosing copies of sundry letters that passed between him and lieutenant general Burgoyne and brigadier general Simon Frazer, were read.

*Ordered,*

*Ordered*, That the same be referred to the committee of intelligence

*Ordered*, That the board of war direct the commissary general of military stores to apply to the supreme executive council of the state of Pennsylvania for an order to remove all public bells in Philadelphia to a place of security upon a near approach of the enemy to the city.

Congress being informed that some of the towns in the western division of New-Jersey are plentifully supplied with blankets, which the inhabitants can spare for the use of the army,

*Resolved*, That the president write to the governor and council of New-Jersey, and request them to call on the inhabitants of the above mentioned places for as many blankets as can be spared to supply the soldiers of general Washington's army, many of whom have lost their blankets in the late battle of Brandywine, and cannot be supplied by the state of Pennsylvania; and that the cost of the said blankets be defrayed by the United States.

*Ordered*, That the board of war give directions and take proper measures to have ten pieces of brass cannon brought as speedily as possible from Springfield to the west side of Hudson's river.

*Resolved*, That general Sullivan be recalled from the army until the enquiry heretofore ordered into his conduct be duly made.

*Resolved*, That if Congress shall be obliged to remove from Philadelphia, Lancaster be the place where they shall meet.

A petition from the chevalier de Preudhomme de Borre was read, praying to have his waggon till his arrival at Charlestown and an order to have forage for his horses, he engaging on his arrival at Charlestown to send the waggon back to the continental army :

*Resolved*, That the prayer of his petition be granted.

The committee on the treasury brought in a report; whereupon

*Resolved*, That the president draw bills of exchange on the commissioners of Congress at Paris in favour of the several officers, and for the several sums hereafter mentioned, the said bills to be made payable at thirty days after sight, and to express value received by and chargeable to Congress, viz.

A set in favor of baron de Kalb for 6000 livres tournois,

A set in favor of viscount de Mauroy for 6000 do.

A set in favor of mons. de Leser for 7613 do.

A set in favor of mons. de Valfort for 7393 do.



A set in favor of the chevalier de Frauval for 7200 do.

A set in favor of the chevalier de Fayolle for 2400 do.

A set in favor of monf. de Vrigny for 3200 do.

A set in favor of the chevalier de Buysson for 4712 do.

A set in favor of monf. du Bois Martin for 6353 do.

And a set in favor of monf. Canden for 1800 do.

*Resolved*, That there be paid to the following gentlemen the several sums hereafter specified to defray, with the sums above directed to be drawn in bills of exchange on the commissioners at Paris in their favor, the expences of their coming from France and returning thither, viz.

To baron de Kalb 500 dollars.

To monf. de Lefer 765 do.

To chevalier de Fayolle 300 do.

To chevalier du Buysson 200 do.

To viscount du Mauroy 500 do.

To monf. de Valfort 812 do.

To monf. de Vrigny 410 do.

To monf. Canden 300 do.

*Resolved*, That the public papers be put under the care of Mr. Clarke, and that he be impowered, upon the Congress removing to Lancaster, to procure waggons sufficient for conveying them thither and apply to general Dickinson or any other officer commanding troops in the service of the United States, who is hereby directed to furnish a guard to conduct the said papers safely to Lancaster.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

M O N D A Y, September 15, 1777.

A letter of the 15th from Thomas Wharton junior, president of the council of Pennsylvania; one of the 8th from John Carter, one of the commissioners for auditing accounts in the Northern department, requesting, as important business requires his immediate presence at Boston, that another commissioner may be appointed in his room; also a petition from Robert White, deputy commissary general of issues, requesting, as upon trial he finds it impossible for him to do the duties of the office, that he may have leave to resign his commission; were read:

*Resolved*, That, for the reasons assigned, Mr. Carter and M. White have leave to resign their commissions.

A letter from monf. du Coudray to Mr. Chase was laid before Congress and read, wherein he requests, for himself and fundry

fundry gentlemen, who accompanied him to this country from France, to have an opportunity of fighting in the American army without running the risque of not being subjects of exchange should they by the fortune of war be made prisoners; informing that any rank which Congress may think proper to give him and them will be acceptable, asking for himself only the rank of captain, for the commissioned officers who accompanied him, the rank of lieutenants, and for the non-commissioned officers the rank of ensigns: whereupon

*Resolved*, That his request be complied with, and that commissions be made out accordingly.

*Ordered*, That 1500 dollars be advanced to monf. du Coudray, for himself and the gentlemen who accompanied him, he to be accountable;

*Resolved*, That a commander of the horse be appointed with the rank of a brigadier;

The ballots being taken, count Pulaski was elected.

*Resolved*, That Mr. Frederick de Bedaulx be appointed a captain by brevet, and receive the pay and rations annexed to that rank from the 10th May last.

A deposition being laid before Congress, containing information of a conspiracy being formed against the United States and intended to be put in execution within the state of Pennsylvania, and whereas it may happen that some persons may be concerned in it, who are not under the jurisdiction of that state,

*Resolved*, That Congress will co-operate with the said state in tracing the said conspiracy, and that it be recommended to the other states, within whose jurisdiction any of the conspirators may reside, to co-operate in the same manner with the state of Pennsylvania.

*Ordered*, That a warrant issue on the commissioner of the loan office of the state of Pennsylvania in favor of J. Shallus, deputy commissary general of purchases, for 3200 dollars, on account of his department, for which he is to be accountable.

*Ordered*, That one hundred thousand dollars be advanced to the state of New-Hampshire, and that the same be paid by a warrant on the commissioner of the loan office in the said state for 50,000 dollars, and by another warrant on the commissioner of the loan office in the state of Massachusetts-Bay for 50,000 dollars, the said state of New-Hampshire to be accountable.

The assembly of Pennsylvania having made a change in the delegates of their state, an extract from their minutes was read as follows:

“ In

"In general assembly of Pennsylvania, Sunday, September 14, 1777. Agreeable to the order of yesterday, the house resumed the consideration of the choosing new delegates to serve this state in Congress, when it was resolved, that new delegates be immediately elected instead of Jonathan B. Smith, esquire, who has resigned, and of James Wilson and George Clymer, esquires, who are hereby superseded: whereupon the house proceeded to the said election by ballot, when Joseph Reed, esquire, William Clingan, esquire, and doctor Samuel Duffield, were duly elected. Extract from the minutes. J. Morris, clerk of assembly."

*Resolved*, That another major general be appointed in the army of the United States:

The ballots being taken, barron de Kalb was elected.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

#### TUESDAY, September 16, 1777.

A letter of the 15th from governor Livingston at Haddonfield, was read requesting a supply of ammunition; whereupon

*Resolved*, That the commissary general of military stores be directed to supply the state of New-Jersey with the quantity of cartridges mentioned in the resolve of the assembly of that state, dated 15th of September, taking care that a sufficient quantity be reserved for the use of the army under general Washington; but if the quantity of cartridges aforesaid cannot safely be spared, that in that case he supply the quantity of powder and lead mentioned in the said resolve.

A letter of the 15th from general Dickinson at Trenton; one of the 15th from general Washington at the Buck Tavern; and another of the same day from him, dated camp between the Warren and White Horse taverns; were read.

*Resolved*, That the president and supreme executive council of Pennsylvania be informed of general Washington's desire, that the provisions in this city should be removed to a place of safety; reserving only what may be necessary for the use of the inhabitants and for the army under his command; and that the president and council be desired in the name of this Congress to take the most speedy and effectual measures to have the same carried into execution: also that the president and council be requested to exert the most vigorous efforts to obtain from this city as many blankets as possible and with the greatest expedition, as the general represents many of the soldiers to be without blankets, and that their health will be much exposed by remaining so.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Connecticut for two hundred thousand dollars, in favor of William Buchanan, esquire, commissary general of purchases, for the use of the Northern department, the said commissary general to be accountable.

That there be advanced to the said W. Buchanan, esquire, commissary general of purchases, 200,000 dollars for the use of his department, he to be accountable.

Sundry letters and invoices of cargoes imported in the Neptune, captain Isaac Lee, and the Success, captain Cabbot Gerrish, from Bilboa to Boston, were laid before Congress;

*Ordered*, That they be referred to the committee of commerce.

*Resolved*, That the commissary general of issues, the quartermaster general, the commissary general of military stores, the director general and cloathier general, be severally directed to remove without delay to Bethlehem or some other place of safety the patients or stores belonging to their respective departments ordered to or deposited in Trenton.

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Massachusetts-Bay in favor of the committee of commerce for 5000 dollars, for which they are to be accountable :

That a warrant issue on the said loan-officer for 8000 dollars, in favor of the continental navy board in Philadelphia ; they to be accountable :

That there be advanced to the delegates of the state of Georgia 25,000 dollars, to discharge a bill drawn on them by that state in favor of colonel John White, and that it be considered as part of the sum appropriated for the military chest in the said state, and for which the said state is to be accountable :

That there be advanced to the delegates for the state of Georgia 3000 dollars, out of the sum appropriated to that state on account of its claim against the United States for expenditures for the public service, for which sum the said state is to be accountable.

Congress took into consideration the letter of the 15th from general Washington, whereupon it was moved to be resolved,

That



That the execution of the resolution of Congress for the recall of general Sullivan from the army in the present critical situation of affairs, be left to the discretion of general Washington until further orders :

To which it was moved to add,

“ And that Congress submit to the discretion of general Washington, whether it would not be adviseable to place the Maryland and Delaware troops under the command of some other major general, it being at the request of the delegates of those states ;” The question put on the addition—

New-Hampshire, Massachusetts-Bay,	Mr. Folsom,	no	} no
	Mr. S. Adams,	no	
	Mr. J. Adams,	no	
	Mr. Gerry,	no	
	Mr. Lovell,	no	
Rhode-Island, Connecticut,	Mr. Marchant,	no	} no
	Mr. Dyer,	no	
	Mr. Williams,	no	
	Mr. Law,	no	
New-Jersey, Pennsylvania,	Mr. Elmer,	no	} no
	Mr. Morris,	no	
	Mr. Roberdeau,	no	
Delaware, Maryland,	Mr. Reed,	ay	} ay
	Mr. Chase,	ay	
	Mr. Smith,	ay	
Virginia,	Mr. Harrison,	no	} no
	Mr. Jones,	no	
	Mr. R. H. Lee,	no	
North-Carolina,	Mr. Burke,	no	} no
	Mr. Penn,	no	
South-Carolina, Georgia,	Mr. Laurens,	no	} no
	Mr. Walton,	no	
	Mr. Brownson,	ay	

*divided.*

So it was passed in the negative.

Question to agree to the first motion,

Resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, September 17, 1777.

A letter of this day from governor Livingston, and one inclosed to him from general Dickinson, were read, whereupon

Z z z

*Resolved,*

*Resolved*, That in the present situation of affairs it be left to the discretion of governor Livingston, to retain the whole of the militia of New-Jersey for the defence of that state or to send a part of the said militia to reinforce the army under general Washington, as circumstances may make it necessary :

That governor Livingston be requested to afford every assistance in his power for the speedy removal of the public stores from Trenton to Bethlehem or some other place of safety.

*Ordered*, That copies of the letters received from governor Livingston and general Dickinson be forwarded immediately to general Washington.

Whereas mons. du Coudray, colonel brigadier in the service of his Most Christian Majesty the king of France, and commander in chief of the artillery in the French colonies of America, gallantly offered to join the American army as a volunteer, but in his way thither was most unfortunately drowned in attempting to cross the Schuylkill :

*Resolved*, That the corpse of the said mons. du Coudray be interred at the expence of the United States, and with the honors of war ; and that the town major carry this order into execution.

Whereas, notwithstanding the brave exertions of the American army, the city of Philadelphia may possibly, by the fortune of war, be for a time possessed by the enemy's army, which availing itself of the provisions and other necessary supplies now in it, may be enabled to prosecute the war with vigour ; and whereas it is absolutely essential to the liberties of the United States, that the most effectual and speedy means should be adopted for securing for the use of the American army every article which may be necessary for their equipment and subsistence ; and whereas from the near approach of the enemy's army and by the wicked arts of extortioners, engrossers and others, enemies to the liberties of America, it may be impracticable to collect in time and by way of regular purchase a competent supply ; and whereas it may be essential to the public welfare, that Congress should adjourn to some place more remote than this city from the scene of action, in order that its deliberations may be conducted without interruption ; therefore

*Resolved*,

*Resolved*, That general Washington be authorised and directed to suspend all officers who shall misbehave, and to fill up all vacancies in the American army under the rank of brigadiers, until the pleasure of Congress shall be communicated; to take wherever he may be all such provisions and other articles as may be necessary for the comfortable subsistence of the army under his command paying or giving certificates for the same: to remove and secure, for the benefit of the owners, all goods and effects which may be serviceable to the enemy: provided that the powers hereby vested shall be exercised only in such parts of these states as may be within the circumference of seventy miles of the headquarters of the American army, and shall continue in force for the space of sixty days, unless sooner revoked by Congress.

*Resolved*, That the public faith be pledged for the payment of the provisions or other articles to be taken, and for which certificates shall have been given, at such prices as are expressed in the certificates; or if the prices are not expressed, to be paid for as the same shall be valued by commissioners for that purpose to be hereafter appointed by Congress.

*Ordered*, That Mr Frost have leave of absence for recovery of his health.

A letter of this day from the executive council of Pennsylvania, in answer to the resolves of yesterday was read:

*Ordered*, That a copy thereof be sent to general Washington.

Adjourned to six o'clock.

*Six o'clock, P. M.*

Congress met and postponing the several matters to this day referred, adjourned to ten o'clock to-morrow.

THURSDAY, September 18, 1777.

A letter of the 17th from general Washington at the Yellow Springs, was read.

*Resolved*, That the order for removing the sick and wounded and hospital stores from Trenton be suspended.

A letter of the 14th from colonel Joseph Wood was read:

*Ordered*, That it be transmitted to general Washington.

A

A memorial from colonel Flower was read, together with a list of the corps of the artillery, artificers and other officers under the command and in the department of the commissary general of military stores ; whereupon

*Resolved*, That commissions be granted to the said officers agreeable to their respective ranks.

*Resolved*, That chaplains be appointed to the hospitals in the several departments, and that their pay be each 60 dollars a month and three rations a day and forage for one horse :

The reverend Mr. Noah Cook was elected chaplain of the hospitals in the eastern department.

*Resolved*, That major general Armstrong be directed forthwith to cause all the printing presses and types in this city and Germantown to be removed to secure places in the country, excepting Mr. Bradford's press in this city with English types.

*Resolved*, That there be paid to Robert Towers, acting as commissary of military stores and continental armourer from 19th November 1775, to 19th May 1777, two dollars a day, including the keeping of a horse.

A letter of the 16th from general Putnam at Peek's-kill was read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

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During the adjournment the president received a letter from colonel Hamilton, one of general Washington's aids, which intimated the necessity of removing the Congress immediately from Philadelphia ; whereupon the members left the city, and, agreeably to the resolve of the 14th repaired to Lancaster.

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LANCASTER, SATURDAY, *September 27, 1777.* ]

A letter of the 15th from general Gates at the heights above Behman's ; one of the 16th from colonel Gift at Christiana bridge ; one of the 16th from colonel Gibson at Alexandria ; and one of the 23d from general Washington at Pottsgrove, were read.

A letter from brigadier general Conway, one from colonel G. Morgan at fort Pitt, with several papers inclosed, and a letter from the baron de Kalb to colonel R. H. Lee, were read.

*Ordered,*



*Ordered*, That they be referred to the board of war.

A letter of the 16th from Joseph Trumbull was read.

*Ordered*, That it be referred to the board of Treasury.

*Resolved*, That the board of war be directed to co-operate with general Washington in devising and carrying into execution effectual measures for supplying the army with fire-arms, shoes, blankets, stockings, provisions and other necessaries; and that in executing this business these collections be confined, as much as circumstances will admit, to persons of disaffected and equivocal characters.

*Resolved*, That the treasury board direct the treasurer, with all his papers, forms, &c. to repair to the town of York in Pennsylvania.

Adjourned to Yorktown, there to meet on Tuesday next at 10 o'clock.

YORKTOWN, TUESDAY, September 30, 1777.

Met and adjourned to 10 o'clock to morrow.

WEDNESDAY, October 1, 1777.

Congress having appointed the reverend Mr. White and the reverend Mr. P. Allison their chaplains, and the latter having declined,

*Resolved*, That the reverend Mr. George Duffield be appointed in his room.

*Resolved*, That the appointments of the chaplains to Congress be the same as to chaplains of the hospitals in the several departments.

*Resolved*, That till further orders Congress shall meet at 10 o'clock, A. M. sit till one, then adjourn to four.

A memorial from Daniel and Samuel Hughes, and a letter from the baron de Kalb, were read:

*Ordered*, That they be referred to the board of war.

The committee on the treasury brought in a report; whereupon

*Ordered*, That a warrant issue on the commissioner of the loan-office in Connecticut, and another on the commissioner of the continental loan-office in the state of Rhode-Island, each for 50,000 dollars, in favor of Joseph Trumbull, esq; late commissary general, on his application by letter dated Hartford September 16th 1777, to discharge his engagements in that department, and for which he is to be accountable.

A

A letter of the 18th, one of the 19th, and one of the 29th of September from general Washington ; two of the 22d of September from general Gates, with sundry papers inclosed ; five from brigadier general R. How, at Charleston, viz. one of 25th August, two of the 28th, one of the 29th August and one of the 12th of September ; a letter and memorial from A. Gwinnet of Georgia ; a letter from John Adam Treutlan, governor of Georgia ; with sundry papers inclosed ; one from lieutenant colonel Hale ; one from colonel Lewis Nicola ; and one from Barnabas Deane ; were read.

A memorial from mons. de Borre was read :

*Ordered*, That it be dismissed

A petition from Abraham Nimham and one from James Hallet were read

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T H U R S D A Y, October 2, 1777.

*Ordered*, That the letter from general Gates be referred to the board of war.

That the letter of 25th August from brigadier general Howe be referred to the medical committee.

*Resolved*, That the resignation of brigadier general Gadsden be accepted.

*Ordered*, That the letters of 28th and 29th August and 12th September, from brigadier general Howe be referred to the board of war.

That the letters from Mrs. Gwinnet and the governor of Georgia be referred to a committee of three ;

The members chosen, Mr. Laurens, Mr. Brownson and Mr. Harnet.

*Ordered*, That the letter from lieutenant colonel Hale be referred to the committee for conducting the enquiry into the causes of the loss Ticonderoga and the conduct of the general officers in that department

*Ordered*, That a warrant issue on Mr. Lawrence, commissioner of the loan-office in Connecticut, for 20,000 dollars, in favor of Barnabas Deane, the same being in lieu of a like order in his favor dated 6th May last, which was presented for payment 18th August, but has not been paid, the order being lost.

A letter of 17th September from Jeremiah Powell, president of the council of Massachusetts-Bay, inclosing a copy of a letter from Joshua Loring, British commissary of

of prisoners, to doctor Benjamin Church, proposing an exchange of doctor M<sup>r</sup> Henry of Philadelphia for him, was read ; whereupon

It was moved to comply with the proposal ;

Question put, passed in the negative

A letter of the 20th September from Jonathan Trumbull, junior, was read :

*Ordered*, That it be referred to the board of treasury.

A letter of the 11th August and two of the 11th September from J. Rutledge, president of South-Carolina, were read

*Ordered*, That the letter of the 11th respecting prisoners be referred to the marine committee, and the other two to the board of war

A letter of 30th September from Isaac Melchior was read :

*Ordered*, That it be referred to the board of war.

A memorial from Daniel Batwel was read.

*Ordered* That a warrant issue on the treasurer or auditor general of the United States, or on either of them, to pay to Josias Clapham, esquire, colonel of a regiment of militia from the State of Virginia, two thousand dollars for the use of the said regiment, he to be accountable.

*Four o'Clock, P. M.*

A memorial from mons<sup>r</sup>. le Brun, and a letter from John Dorfius and one from brigadier general Howe, relative to eight French officers, were read.

Congress took into consideration the memorial from the reverend Mr. Daniel Batwel, setting forth " that on a charge of being concerned in a conspiracy to destroy the continental magazines in this state, he was in custody of the keeper of the jail of York county, by virtue of a commitment, until Congress or the supreme executive council of this state should take further order touching him, or until he should be otherwise discharged according to law." and it appearing to Congress, by the certificate of doctor Jameson, that the memorialist is so much emaciated by a complication of disorders that his life will be endangered, unless he be removed from the said jail,

*Resolved*, That the memorial be referred to the president and supreme executive council of this State to take such order relative to the memorialist as they shall think proper ; and that in the mean time the keeper of the jail

be directed to remove the petitioner from the said jail to some other safe and proper place, and there grant him every indulgence necessary for the preservation of his health, consistent with the safe keeping of his person : and that the commanding officer in this place afford the necessary assistance of guards for that purpose.

*Resolved*, That the articles of confederation be taken into consideration to-morrow morning at 11 o'clock.

*Resolved*, That the commissary general of provisions, the quarter master general and their deputies, respectively, be directed to provide and supply, in the places where Congress may meet, such articles of their respective departments as may be required by the several members thereof for the use of themselves, their servants and horses, the said members paying the cost of the said articles ; and that this resolution extend to the secretaries, treasurer and the officers of the several boards and committees of Congress.

*Resolved*, That the treaty made by Benjamin Franklin and Silas Deane, at Paris the 17th February 1777, with the chevalier du Portail and others, be confirmed and ratified as far as it relates to mons. de Laumoy.

A letter from W. Buchanan, commissary general of purchases, was read :

*Ordered*, That it be referred to the board of war.

A letter of the 1st from the chevalier de Preudhomme, de Borre, was read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, October 3, 1777.

A letter of the 1st and one of the 12th September from captain N. Biddle, of the Randolph frigate, the first containing charges against lieutenant Panatier de la Folconer ; one of the 26th August and one of the 12th September from John Dorcius ; also two letters of intelligence respecting stores and cloathing ; were read :

*Ordered*, That the intelligence respecting stores and cloathing be kept secret, and that the committee of commerce pursue such measures as they judge proper in consequence thereof.

The committee on the treasury brought in a report ; whereupon

*Ordered*,



*Ordered,* That there be paid to James Hays, in discharge of a bill of exchange assigned to him by John Ashe, esquire, public treasurer of the state of North-Carolina, on the continental treasurer, 250 dollars, being for pay and subsistence of the continental troops raised in that state; the said sum to be charged to the state of North-Carolina, in part of the money heretofore appropriated for the use of that state.

*Four o'clock, P. M.*

*Resolved,* That Monday next be assigned for appointing commissioners to audit and settle the accounts of Georgia against the United States.

The board of war brought in a report, which was taken into consideration; whereupon it was moved,

“ That the consideration of the report from the board of war, respecting the baron de Kalb, be postponed; that a copy of the baron's letter to R. H. Lee, esquire, of the 28th September, and of brigadier general Conway's letter to Congress of the 25th September, be transmitted to general Washington, and that he direct an enquiry to be made into the priority of rank between the baron de Kalb and general Conway in France, and report the same to Congress:”

Question put.

New-Hampshire,	Mr. Folsom,	no	}	no
Massachusetts-Bay,	Mr. S. Adams,	no		
	Mr. J. Adams,	no	}	no
	Mr. Gerry,	no		
	Mr. Lovell,	no		
Rhode-Island,	Mr. Marchant,	no	}	no
Connecticut,	Mr. Dyer,	no		
	Mr. Law,	ay	}	no
	Mr. Williams,	no		
New-York,	Mr. Duane,	ay	}	ay
	Mr. Duër,	ay		
Pennsylvania,	Mr. Roberdeau,	no	}	no
Maryland,	Mr. Chase,	no		
	Mr. Carrol,	ay	}	divided.
Virginia,	Mr. Harrison,	ay		
	Mr. Jones,	ay	}	divided.
	Mr. F. L. Lee,	no		
	Mr. R. H. Lee,	no		

North-Carolina,	Mr. Penn,	ay	} ay
	Mr. Harnett,	ay	
South-Carolina,	Mr. Middleton,	ay	} no
	Mr. Heyward,	no	
	Mr. Laurens,	no	
Georgia,	Mr. Brownson,	no	} no

So it passed in the negative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, October 4, 1777.

A letter of the 30th September from Charles Stewart, commissary general of issues, and one of this day from the chevalier de Borre, were read :

*Ordered*, That such part of Mr. Stewart's letter as relates to money be referred to the board of treasury, and the remainder to the board of war.

Congress took into consideration the letter of the 1st, from Mon. Preudhomme de Borre, wherein he asks to be made a major general, and complains of being condemned before he was heard ; and considering that Congress had ordered an enquiry into the conduct of Mr. de Borre, and that he being notified thereof did on the 14th of September, wait on the president with an offer to resign his commission of brigadier general, and his resignation being accepted,

*Resolved*, That Congress do not consider him as an officer in the service of the United States. he having resigned his commission ; and that his request to be made a major general ; or to be further employed in the service of the United States, cannot be complied with.

A motion was made, "That general Washington be directed to order 2000 stands of the arms expected from Springfield, to the state of Maryland, to be delivered to the governor and council of that state, the arms so delivered to be charged to that state : on motion made and question put,

*Resolved*, That the consideration thereof be postponed.

Congress was moved to pass the following resolution :

"Whereas it appears by letters to Congress from John Adam Treutlan esquire, governor of Georgia, and particularly by one dated 19th June last, that it is the desire of the executive powers of government in the state of Georgia, that Congress should take under their consideration

ration the several accusations against George M'Intosh, and determine on the case, and for that purpose have transmitted to Congress divers minutes of council and assembly, together with certified copies of depositions relative to the said case, and had for that purpose ordered that the said M'Intosh should be conducted under guard to Philadelphia; and whereas the said George M'Intosh has signified his content to submit to an enquiry by a committee of Congress into the causes of his commitment:—  
*Resolved*, That the committee appointed to consider and report upon the letters, depositions, and other papers which have been received from governor Trentlan, be authorised to inform the said G. M'Intosh, now attending the orders of Congress, of the accusations alleged against him, and to furnish him, if he shall require it, with copies of the depositions and other evidence in support of the charge, to hear and receive such answers as he may offer in his defence, and report the whole to Congress."

The question put, passed in the negative.

A motion was then made that it be

*Resolved*, That the committee to whom the letter from governor Trentlan, with the papers accompanying them, were referred, be discharged from considering them—

New Hampshire,	Mr Folsom,	ay	} ay
Massachusetts-Bay,	Mr. S Adams,	no	
	Mr. J. Adams,	no	} no
	Mr. Gerry,	no	
	Mr. Lovell,	no	
Rhode-Island,	Mr. Marchant,	no	} no
Connnecticut,	Mr. Dyer,	ay	
	Mr. Law,	no	} ay
	Mr. Williams,	ay	
New-York,	Mr. Duane,	no	} no
	Mr. Duer,	no	
Pennsylvania,	Mr. Roberdeau,	no	} no
Maryland,	Mr. Chase,	ay	
	Mr. Carrol,	ay	} ay
	Mr. Smith,	ay	
Virginia,	Mr. Harrifon,	no	} ay
	Mr. F. L. Lee,	ay	
	Mr. Jones,	ay	
	Mr. R.-H. Lee,	ay	} ay
North-Carolina,	Mr. Penn,	ay	
	Mr. Harnett,	ay	} ay

South-

South Carolina.

Mr. Middleton,	ay	} ay	
Mr. Heyward,	ay		
Mr. Laurens,	no		
Georgia,	Mr. Brownson,	ay	} divided.
	Mr. Walton,	no	

So it was resolved in the affirmative.

A motion was made respecting George M'Intosh, and on motion

*Resolved.* That the consideration thereof be postponed till Monday next.

The committee on the treasury brought in a report ; whereupon

*Ordered,* That there be paid to monf de Romanet, monf. du Ballet, monf. Villefranche, monf. l'Enfant, monf. Ni-verd, monf. Fouquet and monf. Fouquet, junior, lately arrived from France to tender their services to the United States, each 100 dollars; for which they shall be respectively accountable.

*Resolved,* That the commissary general of issues be supplied from time to time with money for the payment of the several officers and other expences of his department out of the continental treasury, for which purpose he is to apply to Congress and to be accountable for the expenditure; and that 10,000 dollars be advanced to him or his agent on account of the said department, for which he is to be accountable.

*Four o'Clock, P M.*

The committee to whom were referred the two letters to William Buchanan, esquire, commissary general of purchases, one from Peter Colt, esquire, and the other from general Putnam, on the subject of the commissary's department, brought in a report, which was taken into consideration ; whereupon

*Resolved,* That if the deputy commissary general of purchases or of issues appointed for the Eastern district shall decline to accept of or officiate in their respective offices, major-general Putnam the commanding officer at Peck's kill, or the commanding officer there for the time being, be authorised and directed to appoint suitable persons to those respective offices or either of them ; and that major general Gates, or the commanding officer for the time being of the Northern department, have similar power with respect to the deputy commissary general of purchases



ses and of issues for the Northern department, and that they respectively certify the names of the commissaries which they may appoint, to Congress for approbation.

*Resolved*, That every assistant appointed or that hereafter may be appointed by the respective deputy commissaries general of purchases and of issues, shall enter into bond to the president of Congress in the penalty of 5000 dollars for the faithful performance of his duty; and such bond being taken by the deputy commissary general and lodged with the pay master general or deputy pay master general of the district, to be by him transmitted to the treasury board, the deputy commissary general shall no longer be chargeable or accountable for the good behaviour of such assistants.

That every deputy commissary general shall be authorized to appoint as many clerks, not exceeding the number of three, as the respective commissaries general shall judge necessary, who are directed to report the same to Congress.

And whereas it is represented that it will be exceedingly difficult to comply with the regulations of Congress for branding and numbering cattle on the horns:

*Resolved*, That the purchasers of live stock be respectively directed to adopt such other mode for marking the same as they shall judge expedient, and to transmit to Congress by the earliest opportunity the regulations for that purpose by them adopted.

That each of the deputy commissaries general of purchases be authorized to allow to the purchasers of live stock in his respective district, a longer time for making the returns required by the 10th article of the regulations of the department of the commissaries than is therein specified: provided such deputy commissary general shall judge it necessary, and the time further allowed does not exceed one month. And if in the hurry of a march or engagement or at any other time, any deputy appointed to receive, kill and deliver live stock, shall be unable to weigh the meat, hides and tallow thereof, he shall be indemnified from any charge of neglect upon producing to the respective purchaser of cattle a certificate from the commanding officer of the army, post or detachment, of the fact aforesaid; and such certificate shall also excuse the purchaser of live stock from producing the receipt of the issuing commissary required by the 14th article of the said regulations:

That

That it never was the intention of Congress to make any purchaser of live stock or officer of the department liable for unavoidable loss of all or any part of such live stock, when such purchaser or officer shall make appear that proper care hath been taken to prevent such loss.

*Ordered*, That there be advanced to Marquiss Calmes, commander of the division of Virginia militia from Frederick county, 1000 dollars, for the use of the said division, the said M. Calmes to be accountable.

The committee on the treasury brought in a report ; whereupon.

*Ordered*, That there be advanced to captain Weaver, appointed to conduct the prisoners of war to Virginia, 2000 dollars for the use of the department under his command, and the support of the prisoners in the march ; and for which he shall be accountable.

Congress resumed the consideration of the report from the board of war ; whereupon

*Resolved*, That the baron de Kalb be at liberty to give up his commission of major general, if the contingency mentioned in his letter of the 28th of last month should happen.

That the baron de Kalb's commission be dated the same day with that of the marquis de la Fayette, agreeable to the baron's request.

That a compliance with the 4th and 5th articles of baron de Kalb's letter would be improper at this time, as Congress have not made any provision for their own officers, with whom foreign officers of equal merit and service will always be considered on a footing.

*Resolved*, That the commissary general of purchases employ a proper person to receive all the wheat belonging to the United States in the several mills and store houses in the neighbourhood of York town, and have such parts as are good, manufactured into flour, and delivered to the commissary general of issues ; the bran and damaged wheat to be delivered to the commissary of forage.

*Resolved*, That major Henry Brockholst Livingston, aid de camp to major general Schuyler, be promoted to the rank of a lieutenant colonel, as a reward for his merit and services, in the American army.

*Resolved*, That major Troup, aid de camp to major general Gates, be presented with a commission of lieutenant colonel

colonel, as a reward of his merit and services in the American army.

*Resolved*, That the chevalier de Buiffon shall have a commission as a major, and whenever he shall think proper to return to France, he shall, if not promoted before that time to a higher rank, receive a commission of a lieutenant colonel.

*Resolved*, That it be referred to general Washington to make such provision for quartering the troops in the winter season, as he shall think proper.

*Resolved*, That a standing committee for Indian affairs be appointed, and that the petition of Abraham Nimham be referred to them :

That Monday next be assigned for appointing the said committee.

*Resolved*, That the governor and council of New-York be desired to erect a monument, at continental expence, of the value of five hundred dollars, to the memory of the late brigadier Harkemer, who commanded the militia of Tryon county in the state of New-York, and was killed fighting gallantly in defence of the liberty of these states.

*Resolved*, That a letter be written to general Gates, informing him that Congress highly approve of the prowess and behaviour of the troops under his command; in their late gallant repulse of the enemy under general Burgoyne.

*Resolved*. That the thanks of Congress be presented to general Stark of the New-Hampshire militia, and the officers and troops under his command, for their brave and successful attack upon, and signal victory over, the enemy in their lines at Benington; and that brigadier Stark be appointed a brigadier general in the army of the United States.

In passing the last clause, the yeas and nays were required and taken.

New Hampshire,	Mr. Folsom,	ay		ay
Massachusetts-Bay,	Mr. S. Adams,	ay	}	
	Mr. J. Adams,	ay	}	ay
	Mr. Lovell,	ay	}	
Connecticut,	Mr. Dyer,	ay	}	ay
	Mr. Law,	ay	}	
	Mr. Williams,	ay	}	
New York,	Mr. Duane,	ay	}	ay
	Mr. Duer,	ay	}	
Pennsylvania,	Mr. Roberdeau,	ay		ay
Maryland,	Mr. Carrol,	ay	}	
	Mr. Chase,	no	}	divided.

Virginia,	Mr. Jones,	ay	}	*
	Mr. R H. Lee,	ay		
North-Carolina,	Mr. Penn,	ay	}	ay
	Mr. Harnett,	ay		
North-Carolina,	Mr. Heyward,	ay	}	ay
	Mr. Laurens,	ay		
Georgia,	Mr. Walton,	ay	}	ay

*Resolved*, That the thanks of Congress be given to colonel Gansevoort and to the officers and troops under his command, for the bravery and perseverance which they have so conspicuously manifested in the defence of fort Schuyler :

That colonel Gansevoort be appointed colonel commandant of the fort he has so gallantly defended.

*Resolved*, That Congress have a just sense of the distinguished merit of lieutenant colonel Willet, for a repeated instance of his bravery and conduct in his late successful sally on the enemy investing fort Schuyler ; and that the commissary general of military stores be directed to procure an elegant sword, and present the same to lieutenant colonel Willet in the name of these United States.

*Resolved*, That the commissary of prisoners provide, under the direction of the board of war, log barracks for continental prisoners of war, that already are, or hereafter may be sent to the commonwealth of Virginia, at such place or places as the governor and council of that state shall approve : that in the construction thereof regard be had to the health and safe keeping of the prisoners, and that a convenient space of ground surrounding or adjoining thereto be set apart for benefit of air, and so enclosed as to prevent all intercourse with the inhabitants ; that until such barracks be provided, the prisoners be sent to the county lieutenants of Frederick and Augusta counties in Virginia, to be by them secured, at the continental expence in such manner as shall be suitable for prisoners of war, and until the governor and council of Virginia shall take further order therein.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY, October 6, 1777.

A letter of the 3d from general Washington, 20 miles from Philadelphia, inclosing a copy of a proclamation by Sir William Howe, dated 28th September ; a letter of 29th September from general Putnam at Peek's-kill, and one of the 5th instant from chevalier de Prendhomme de Borre ; were read.

*Ordered*,



*Ordered,* That the copy of the proclamation be referred to the committee of intelligence; and that they be directed to prepare an address to the inhabitants of Pennsylvania and report the same to Congress.

*Ordered,* That a copy of the letter from general Putnam be immediately transmitted to general Washington; and that he pursue such measures in consequence thereof as he judges most conducive to the public safety, and that he inform general Gates of the steps he may think proper to be taken.

*Ordered,* That a copy of the said letter be sent to general Gates, and that he be directed to give such assistance for strengthening the defences of Hudson's river, as the circumstances of his own department may admit, of which he is to judge.

*Resolved,* That general Washington be directed, if the situation of his army will admit, to send one of the four engineers to do duty at fort Montgomery and the defences on Hudson's river.

*Ordered,* That the letter from the chevalier de Preudhomme de Borre be referred to the board of war, and that they be directed to report thereon as soon as possible.

The board of war brought in a report; whereupon

*Resolved,* That two companies be raised on continental establishment for the purpose of guarding the stores at Carlisle; these companies to have no bounty, and to be enlisted for one year, unless sooner discharged by Congress, under an engagement from Congress that they shall not be removed from Carlisle, nor be ordered on any other service. That James Armstrong Wilson be appointed to one of the said companies, with the rank and pay of a major; and that Samuel Pottlethwaite be appointed captain of the other company.

*Resolved,* That the commissaries general of purchases and issues and their deputies and assistants have power and authority to impress and seize waggons, shallops and proper storehouses on extraordinary occasions, for the use of their departments: this authority to extend to the distance of seventy miles from head quarters, and to be in force to the 1st January next and no longer; and that they respectively be directed not to contravene a former resolution of Congress relative to waggons going with necessaries to the army; and as far as circumstances will admit, that they exercise this authority on persons who have not taken the oath or affirmation of allegiance to the respective states in compliance with the laws of such states.

The committee on the treasury brought in a report, whereupon

B b b 2

*Ordered,*

*Ordered*, That there be advanced to George Eichelberger, esquire, deputy quarter master general at Yorktown, 2,500 dollars on his application in behalf of the quarter-master general for the use of that department, and for which the quarter-master general is to be accountable; and that a copy of this order be sent to general Mifflin, quarter-master general.

*Ordered*, That there be paid to William C. Houston or his order, 333 1-3 dollars, for his salary as deputy secretary of Congress from the 1st April to 1st September last, being five months at the rate of 800 dollars per annum.

*Resolved*, That the drawing of the United States lottery be deferred to the 6th January next, on account of the unsettled state of the commonwealth of Pennsylvania, occasioned by the invasion of the enemy; and that the managers of the said lottery give notice thereof by advertisement in the news-papers of the several states.

*Four o'Clock, P. M.*

A letter of the 5th from general Mifflin, inclosing one of the 4th from colonel Lutterloe, was read.

Congress proceeded to the election of a committee for Indian affairs, and the ballots being taken, Mr. Duane, Mr. Walton, Mr. Burke, Mr. Jones and Mr. Law were elected.

A petition from Charles M'Davitt, Patrick Smyth, and others was read:

*Ordered*, That it be referred to the commissioners of accounts for the Northern department, and that they or any two of them inquire into the facts suggested by the petitioners, and also into the objections made by general Gates against allowing the claims of the petitioners, and make report thereof to Congress, delivering a copy of their report to general Gates.

*Ordered*, That the letter of the 19th June, and that of the 14th August from governor Treutlan, be referred to the board of treasury.

*Ordered*, That to-morrow morning at 11 o'clock Congress take into consideration that part of the article of confederation which relates to the mode of voting in Congress.

*Resolved*, That so much of the resolution of the 23d March 1776, as directs that the wages of seamen and mariners taken on board British merchant vessels, be paid and deducted out of the prize money, be repealed and made null and void.

*Resolved*, That all masters, officers and mariners, and all subjects of the king of Great Britain, taken on board any prize made by any continental vessel of war, be hereafter considered

as prisoners of war and treated as such, and that the seamen and mariners of such prize be confined in the gaols or some other secure place in the state to which the prize shall be carried; and it is recommended to the several states to consider and treat all captains, officers and mariners and all subjects of the king of Great-Britain taken on board any prize made by any vessel fitted out by, or carried into, any state by any privateer or letter of marque, as prisoners of war.

*Ordered,* That the commissary general of prisoners be informed of this resolve; and that he be directed to appoint a deputy in each state.

*Resolved,* That it be recommended to the legislatures of the several states to pass laws, declaring that any person, his aider or abettor, who shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any magazine of provisions, or of military or naval stores, belonging to the United States; or if any master, officer, seaman, mariner or other person, intrusted with the navigation or care of any continental vessel, shall wilfully and maliciously burn or destroy, or attempt or conspire to burn or destroy, any such vessel, or shall wilfully betray or voluntarily yield or deliver, or attempt or conspire to betray, yield or deliver, any such vessel to the enemies of the United States, such person, his aider or abettor, on legal conviction thereof shall suffer death without benefit of clergy.

A letter of the 25th September from brigadier general Parsons was read, recommending the reverend Mr. Dwight to be appointed chaplain to his brigade; whereupon

*Resolved,* That the reverend Mr. Dwight be appointed chaplain to brigadier general Parsons brigade.

*Ordered,* That the resolution of the 10th September for paying the interest of money lent to the continent by bills of exchange on the commissioners at Paris, be without delay transmitted to the executive powers of the several states, with a request that they will order the same to be published in their respective gazettes for six months successively.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

### TUESDAY, October 7, 1777.

A letter of this day from Peter Tarlan, deputy quarter-master general for Georgia, was read:

*Ordered,* That it be referred to the board of treasury.

*Ordered,*

*Ordered*, That 390 dollars be advanced to R. Peters, esquire, secretary of the board of war, for contingent expences and for which he is to be accountable.

A memorial from mons. le Brun was read :

*Ordered*, That it be referred to the board of war.

According to the order of the day Congress took into consideration that part of the articles of confederation relative to the mode of voting in Congress, and after debate the farther consideration thereof was postponed to the afternoon.

*Ordered*, That 20000 dollars be advanced and charged to the committee of commerce, by a draught on the commissioner of the loan office in the state of Massachusetts Bay, to be paid to Mr. John Bradford, agent for the committee, he to be accountable to the committee.

*Four o'Clock, P. M.*

Congress resumed the consideration of the articles of confederation relative to the mode of voting in Congress, whereupon it was moved,

“ That in determining questions Rhode-Island, Delaware and Georgia shall have one vote, and every other state shall have one vote for every 50000 white inhabitants therein, taken and transmitted according to the directions of the 9th article; and when the white inhabitants of Rhode Island, Delaware and Georgia shall exceed 50000, the number of votes to be given by such state shall be increased in the proportion of one vote for every 50000 such inhabitants, that an equality in this national assembly may be preserved as nearly as possible, and that those who are bound by measures and are to pay taxes demanded by an assembly, the members of which are elected not by all the people, but by those of a particular district, may have the same proportionable number of votes as they would have if they were personally present. If in process of time the people shall so multiply as that the Congress, consisting of one delegate for every 50000 white inhabitants, would be too numerous, the proportions shall be again adjusted, wherein the same rule of equality in the representation shall be observed.”

New Hampshire,	Mr. Folsom,	no		no
Massachusetts Bay,	Mr. S. Adams,	no	}	no
	Mr J. Adams,	no		
	Mr. Gerry,	no		
Rhode Island, Connecticut,	Mr. Marchant,	no		no
	Mr. Dyer,	no	}	no
	Mr. Law,	no		
	Mr. Williams,	no		

New



New York,	Mr Duane,	no	} no
	Mr. Duer,	no	
New-Jersey,	Mr. Witherspoon,	no	} no
Pennsylvania,	Mr. Roberdeau,	ay	
Maryland,	Mr. Chase,	no	} no
	Mr. Carrol,	no	
	Mr. Smith,	no	
Virginia,	Mr. Harrison,	ay	} ay
	Mr. F. L. Lee,	ay	
	Mr. Jones,	ay	
	Mr. R. H. Lee,	ay	
North Carolina,	Mr. Penn,	ay	} divided.
	Mr. Harnett,	no	
South Carolina,	Mr. Middleton,	no	} no
	Mr. Heyward,	no	
	Mr. Laurens,	no	
Georgia,	Mr. Walton,	no	} no
	Mr. Brownson,	no	

So it passed in the negative.

It was then moved, "That each state shall have a right to send one delegate to Congress for every 30000 of its inhabitants, and in determining questions in Congress each delegate shall have one vote ;"—

New-Hampshire,	Mr. Folsom,	no	} no
Massachusetts Bay,	Mr. S. Adams,	no	
	Mr. J. Adams,	ay	} no
	Mr. Gerry,	no	
Rhode-Island,	Mr. Marchant,	no	} no
Connecticut,	Mr. Dyer,	no	
	Mr. Law,	no	} no
	Mr. Williams,	no	
New York,	Mr. Duane,	no	} no
	Mr. Duer,	no	
New Jersey,	Mr. Witherspoon,	no	} no
Pennsylvania,	Mr. Roberdeau,	no	
Maryland,	Mr. Chase,	no	} no
	Mr. Carrol,	no	
	Mr. Smith,	no	
Virginia,	Mr. Harrison,	ay	} ay
	Mr. Jones,	ay	
	Mr. F. L. Lee,	ay	
	Mr. R. H. Lee,	ay	
North Carolina,	Mr. Penn,	ay	} divided.
	Mr. Harnett,	no	
			South-

South Carolina,	Mr. Middleton,	ay	} <i>no</i>
	Mr. Heyward,	<i>no</i>	
	Mr. Laurens,	<i>no</i>	
Georgia,	Mr. Walton,	<i>no</i>	} <i>no</i>
	Mr. Brownson,	<i>no</i>	

So it passed in the negative.

It was then moved "That the quantum of representation for each state shall be computed by numbers proportioned according to its contribution of money or tax levied, agreeable to this confederation, & paid into the public treasury towards the annual expences necessary for the support of the Union."

New Hampshire,	Mr. Folsom,	<i>no</i>	} <i>no</i>
Massachusetts Bay,	Mr. S. Adams,	<i>no</i>	
	Mr. J. Adams,	ay	} <i>no</i>
	Mr. Gerry,	<i>no</i>	
Rhode Island,	Mr. Marchant,	<i>no</i>	} <i>no</i>
Connecticut,	Mr. Dyer,	<i>no</i>	
	Mr. Law,	<i>no</i>	} <i>no</i>
	Mr. Williams,	<i>no</i>	
New York,	Mr. Duane,	<i>no</i>	} <i>no</i>
	Mr. Duer,	<i>no</i>	
New Jersey,	Mr. Witherspoon,	<i>no</i>	} <i>no</i>
Pennsylvania,	Mr. Morris,	<i>no</i>	
	Mr. Roberdeau,	<i>no</i>	} <i>no</i>
Maryland,	Mr. Chase,	<i>no</i>	
	Mr. Carroll,	<i>no</i>	} <i>no</i>
	Mr. Smith,	<i>no</i>	
Virginia,	Mr. Harrison,	ay	} <i>ay</i>
	Mr. Jones,	ay	
	Mr. F. L. Lee,	ay	} <i>ay</i>
	Mr. R. H. Lee,	ay	
North Carolina,	Mr. Penn,	<i>no</i>	} <i>no</i>
	Mr. Harnett,	<i>no</i>	
South Carolina,	Mr. Middleton,	ay	} <i>no</i>
	Mr. Heyward,	<i>no</i>	
	Mr. Laurens,	<i>no</i>	} <i>no</i>
Georgia,	Mr. Walton,	<i>no</i>	
	Mr. Brownson,	<i>no</i>	} <i>no</i>

So it passed in the negative.

The question put on the article as reported.

New Hampshire,	Mr. Folsom,	ay	} <i>ay</i>
Massachusetts Bay,	Mr. S. Adams,	ay	
	Mr. J. Adams,	<i>no</i>	} <i>ay</i>
	Mr. Gerry,	ay	

Rhode-

Rhode-Island,	Mr. Marchant,	ay	} ay
Connecticut,	Mr. Dyer,	ay	
	Mr. Law,	ay	} ay
	Mr. Williams,	ay	
New-York,	Mr. Duane,	ay	} ay
	Mr. Duer,	ay	
New Jersey,	Mr. Witherspoon,	ay	} ay
Pennsylvania,	Mr. Morris,	ay	
	Mr. Roberdeau,	ay	} ay
Maryland,	Mr. Chase,	ay	
	Mr. Carrol,	ay	} ay
	Mr. Smith,	ay	
Virginia,	Mr. Harrison,	no	
	Mr. Jones,	no	
	Mr. F. L. Lee,	no	} no
	Mr. R. H. Lee,	no	
North-Carolina,	Mr. Penn,	no	
	Mr. Harnett,	ay	} divided.
South Carolina,	Mr. Middleton,	no	
	Mr. Heyward,	ay	} ay
	Mr. Laurens,	ay	
Georgia,	Mr. Walton,	ay	
	Mr. Brownson,	ay	} ay

So it was resolved, That in determining questions each state shall have one vote.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, October 8, 1777.

A letter of the 5th from General Washington and a petition from David Redic were read :

*Ordered,* That the petition be referred to the board of war.

Whereas the fourth Georgia battalion of continental troops commanded by colonel John White, is about to march from the state of Pennsylvania to its station in the state of Georgia ; and whereas it may be necessary for the good order of the said battalion that general courts martial may be held to try and punish offenders for breach of the articles of war on the march of the said battalion ; and whereas there is no general officer in the service of the United States stationed on or near the rout of its march, without whose authority according to the articles of war, no general court martial can be held for the trial and punishment of such offenders :

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*Resolved,*

*Resolved*, Therefore that the said colonel John White be empowered, at any time in the course of his said march, to order a general court martial to consist of his own officers, if none others of the continental army can be conveniently summoned, and to try any non-commissioned officer and soldier belonging to the said battalion, who shall be charged with breaking any of the articles of war; and to confirm the sentence of any such court martial, to discharge the said court martial, or to confirm any such sentence and afterwards to remit the punishment that shall be so sentenced, as he shall think proper; provided that the powers hereby given shall cease and determine so soon as the said battalion shall arrive at its station in Georgia.

A motion was made to prevent an intercourse between the towns in the possession of the enemy and the inhabitants of the country.

*Ordered*, That it be referred to a committee of three;

The members chosen, Mr R. H. Lee, Mr. J. Adams and Mr. Chase.

*Four o'Clock, P. M.*

The committee to whom was referred the motion for preventing an intercourse between the towns in the possession of the enemy and the inhabitants of the country, brought in a resolution for that purpose; which was agreed to as follows.

Whereas it is of essential consequence to the general welfare that the most effectual measures should be forthwith pursued for cutting off all communication of supplies or intelligence to the enemy's army now in and near the city of Philadelphia; and whereas it has been found by the experience of all states, that in times of invasion the process of the municipal law is too feeble and dilatory to bring to a condign and exemplary punishment persons guilty of such traitorous practices,

*Resolved*, That any person, being an inhabitant of any of these states, who shall act as a guide or pilot by land or water for the enemy, or shall give or send intelligence to them, or in any manner furnish them with supplies of provisions, money, cloathing, arms, forage, fuel, or any kind of stores, be considered and treated as an enemy and traitor to these United States; and that general Washington be empowered to order such person taken within thirty miles of any city, town or place in the states of Pennsylvania, Jersey or Delaware, which is or may be in the possession of any of the enemy's forces, to be tried by a court martial; and such court martial are hereby authorized to sentence any such persons convicted before them of any of the offences aforesaid, to suffer death or such other punishment as to them shall seem meet.

*This*



This resolve to remain in force until the first day of January next unless sooner revoked by Congress.

And whereas it has been represented to Congress that many evil disposed persons, enemies to these United States, make a practice of passing to and from the enemy's quarters, propagating false intelligence, thereby to dispirit the people and aid the cause of our enemies :

*Resolved*, That it be recommended to all magistrates and officers civil and military, and to all the good people of these states, to be vigilant in apprehending, securing and bringing to condign punishment all such offenders, in order that a speedy and effectual stop may be put to such a pernicious practice.

*Resolved*, Unanimously, that the thanks of Congress be given to general Washington for his wise and well concerted attack upon the enemy's army near Germantown on the 4th instant, and to the officers and soldiers of the army for their brave exertions on that occasion : Congress being well satisfied that the best designs and boldest efforts may sometimes fail by unforeseen incidents, trusting that on future occasions the valour and virtue of the army will, by the blessing of heaven, be crowned with compleat and deserved success.

*Resolved*. That Mr. Heyward and Mr. Laurens be added to the committee appointed to carry into execution the resolution of Congress ordering a medal to be struck and presented to general Washington.

*Resolved*, That to-morrow Congress take into consideration that part of the articles of confederation that relates to taxation.

A letter of the 27th September from General Schuyler at Albany was read.

The committee on the treasury brought in a report ; where upon

*Ordered*, That a warrant issue on the treasurer in favour of William Hornby for 20,000 dollars in discharge of a bill drawn on the president of Congress by the president of Georgia for the use of the continental troops in that state ; the said sum to be considered as part of the three hundred thousand dollars appropriated to supply the military chest in that state, and the said state to be accountable.

That another warrant be drawn on the treasurer in favour of W. Hornby for 500 dollars, to defray his expences in coming and returning from Georgia to Yorktown in Pennsylvania, agreeable to the request of the president of Georgia, the said sum to be considered as part of the four hundred thousand dol-

lars appropriated to reimburse the state of Georgia its expenditures for the continent, the said state to be accountable.

*Ordered*, That 5000 dollars be advanced to Peter Tarling, deputy quartermaster general to the troops in Georgia, he to be accountable; and that the same be considered as part of the 300,000 dollars appropriated for the use of the continental troops in that state.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, October 9, 1777.

*Ordered*, That so much of general Schuyler's letter of the 27th of February as relates to Indian affairs be referred to the committee on Indian affairs, and that so much of the said letter as relates to his request of being furnished with a copy of the accusations against him, be referred to the committee appointed to collect evidence and facts relative to the evacuation of Ticonderoga and mount Independence.

A petition from captain Silas Talbot was read:

*Ordered*, That it be referred to the board of war.

A memorial from George M'Intosh was read; where-upon

A motion was made that it be resolved "that Congress have no power to try and determine the case of George M'Intosh, he being a citizen of Georgia;" on which the previous question was moved whether that question be now put.

New-Hampshire,	Mr. Folsom,	no		no
Massachusetts Bay,	Mr. S. Adams,	no	}	no
	Mr. J. Adams,	no		
	Mr. Gerry,	no		
	Mr. Lovell,	ay		
Rhode-Island,	Mr. Marchant,	no	}	no
Connnecticut,	Mr. Dyer,	no		
	Mr. Law,	no	}	no
	Mr. Williams,	no		
New-York,	Mr. Duane,	ay	}	divided
	Mr. Duer,	no		
New Jersey,	Mr. Witherspoon,	no	}	no
Pennsylvania,	Mr. Roberdeau,	no		
Maryland,	Mr. Chase,	ay	}	ay
	Mr. Carrol,	ay		

Vir-

Virginia,	Mr. Harrison,	ay	} ay
	Mr. Jones,	ay	
	Mr. F. L. Lee,	ay	
	Mr. R. H. Lee,	ay	
North Carolina,	Mr. Penn,	ay	} divided.
	Mr. Harnett,	no	
South-Carolina	Mr. Middleton,	ay	} no
	Mr. Heyward,	no	
	Mr. Laurens,	no	
Georgia,	Mr. Brownson,	no	} no
	Mr. Walton,	no	

So it passed in the negative.

Upon considering the papers received from the president of the state of Georgia respecting George M<sup>c</sup>Intosh, taken into custody in consequence of information transmitted and a request made by Congress to the government of the said state; and the memorial of the said George M<sup>c</sup>Intosh, praying Congress to take his case into consideration.

*Resolved*, That a committee of three be appointed to examine into the said papers and memorial, and report their opinion whether there is sufficient cause before Congress for the detention of the said George M<sup>c</sup>Intosh, in order that if such cause appear he may be sent a prisoner to the state of Georgia, of which he is a citizen, for his trial, or otherwise may be discharged;

The members chosen, Mr. J. Adams, Mr. Duane and Mr. Williams.

*Four o'clock, P. M.*

The article relative to taxation in the confederation reported by the committee of the whole Congress, was read as follows:

“ All charges of war and all other expences that shall  
 “ be incurred for the common defence or general welfare,  
 “ and allowed by the United States assembled, shall be  
 “ defrayed out of a common treasury, which shall be sup-  
 “ plied by the several states in proportion to the num-  
 “ ber of inhabitants of every age, sex and quality, ex-  
 “ cept Indians not paying taxes in each state; a true ac-  
 “ count of which, distinguishing the white inhabitants shall  
 “ be triennially taken and transmitted to the Assembly  
 “ of the United States. The taxes for paying that pro-  
 “ portion shall be laid and levied by the authority and di-  
 “ rection

“rection of the legislatures” of the several states within the  
 “time agreed upon by the United States assembled.”

After debate thereon.

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, October 10, 1777.

A letter of the 27th September from major general Sullivan, inclosing a bundle of papers, was read.

A memorial from George Ewing, commissary of hides, was read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That 12000 dollars be advanced to the marine committee, for the public service in Baltimore in the state of Maryland, the said committee to be accountable.

That 2000 dollars be advanced to the said marine committee, to discharge bills drawn upon them, the said committee to be accountable.

The committee to whom were referred the papers received from the president of the state of Georgia respecting George M'Intosh, taken into custody in consequence of information transmitted and a request made by Congress to the government of the state of Georgia and the memorial of the said George M'Intosh, praying Congress to take his case into consideration report, “That they have examined into the said papers and memorial, and are of opinion that there is not sufficient cause before Congress for the detention of the said George M'Intosh; whereupon,

*Resolved*, That the said George M'Intosh be discharged.

The committee on the treasury brought in a report, whereupon,

*Ordered*, That there be advanced to major James Armstrong Wilson, appointed to command two companies to be raised in the state of Pennsylvania for the purpose of guarding the continental stores at Carlisle, 1000 dollars for the use of the said companies, he to be accountable.

*Resolved*, That John Montgomery, esquire, at Carlisle, be and he is hereby appointed and authorized to muster the two companies under the command of major J. A.

Wilson,



Wilson, for the discharge of which duty a reasonable allowance shall be made to him.

*Ordered,* That a warrant issue on the auditor general in favour of the board of war for 300,000 dollars, to be transmitted by them to the deputy paymaster general of the Northern department for the use of the said department, and for which he is to be accountable:

That a warrant issue on the commissioner of the loan office in the state of New-York in favour of the commissary general of purchases, to be transmitted to Peter Colt, esquire, deputy commissary general of purchases in the Eastern department, for 200,000 dollars for the use of the said department, for which the commissary general is to be accountable.

*Ordered,* That there be paid to Benjamin Walker, or order, 500 dollars in discharge of a bill dated the 17th of July last, drawn by governor Treutlan of the state of Georgia on the continental treasurer, expressed to be for the expences incurred in recruiting and mustering a company of light horse for the said State; for which sum the said state is to be accountable; and the same is to be considered as part of the 300,000 dollars appropriated for supplying the military chest in the said state.

*Ordered,* That there be paid to Daniel Mallet, or order, 1000 dollars in discharge of a bill dated 8th February last, drawn in his favour by John Ashe, esquire, public treasurer of the state of North Carolina, on the continental treasurer, expressed to be for provisions furnished the continental troops raised in the said state; for which sum the said state is to be accountable, and the same is to be considered as part of the 500,000 dollars heretofore appropriated for the use of that state.

That there be paid to Robert Ralston, or order, 250 dollars, in discharge of a bill dated 10th May last, drawn by John Ashe, esquire, public treasurer of the state of North-Carolina, on the continental treasurer, expressed to be for the use of that state, for which the state is to be accountable and the same is to be considered as part of the 500,000 dollars appropriated for the use of that state.

*Resolved,* That 800 dollars be presented to mons. Preudhomme de Borre, to defray his expences to Charlestown South-Carolina, and from thence to France.

*Resolved,* That one hundred blank commissions for privateers be signed and delivered by the president to the committee of commerce, to be by them transmitted to such

such of their agents and correspondents abroad as they may think proper to intrust therewith.

*Four o'Clock, P. M.*

A letter of the 8th from general Mifflin was read, wherein he represents that his health is so much impaired and the probability of a recovery so distant, that he thinks it his duty to return to Congress their commissions to him of major-general and quartermaster general.

Congress being informed of great irregularity committed by the fourth Georgia battalion commanded by colonel White, contrary to all order and discipline, and to the great annoyance and injury of the good people of the country through which the said regiment hath passed,

*Resolved.* That colonel White be ordered immediately to join his regiment, and continue with it until the regiment shall arrive in Georgia, that he take the most effectual care to prevent future irregularities of any kind being committed by the said regiment on its march; and that his Excellency the governor of Maryland be requested to appoint proper persons to value the damages done by the said regiment since it entered the state of Maryland, and that the same be sent to the regimental paymaster, who is directed to deduct the amount from the pay of the said regiment, and pay the same to the order of governor Johnson for the benefit of the sufferers.

*Ordered,* That the board of war prepare a resolution for preventing the inhabitants being plundered by troops in the pay of the continent.

The board of war brought in a report; whereupon

*Resolved,* That captain Silas Talbut, of the state of Rhode-Island, be promoted to the rank and have the pay of major in the army of the United States, in consideration of his merit and services in a spirited attempt to set fire to one of the enemy's ships of war in the north river last year; and that he be recommended to general Washington for employment agreeable to his rank.

The board of war brought in a report; whereupon

*Resolved,* That captain Silas Talbut make an estimate of the expence and loss incurred by him in the attempt to destroy the said ship of war, to be laid before the treasury board for their consideration.

Congress resumed the consideration of the articles of confederation under debate yesterday: and after some time

*Resolved,* That the farther consideration thereof be postponed till to morrow.

The

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, October II, 1777.

A letter of the 6th from general Putnam at Peek's-kill and one of the 4th from Peter Colt were read.

*Resolved*, That a committee of three be appointed to enquire of the commissary general of purchases the measures adopted by him for obtaining the necessary supplies of provisions for the ensuing year, and report thereon to Congress:

The members chosen, Mr. Gerry, Mr. Roberdeau, and Mr. Law.

The board of war brought in a report; whereupon

*Resolved*, That the commissary general of issues, his deputies and assistants, and all persons employed under him or them, deliver over on demand to the commissary of hides, all hides, tallow, feet and offal of all cattle killed for the use of the army, taking a receipt for the same, any order or direction of any person or persons to the contrary notwithstanding:

That the said commissary of hides be supplied with money for carrying on the business of his department, from time to time, upon his application to Congress, and that he shall settle his accounts once a year or oftener if required with the treasury board:

That he or his deputies at any principal department or post be authorized to hire or impress one or more waggons or carriages for the use of his department, as occasion may require, which shall not be subject to be impressed for any other service by any officer of the army, unless by special direction of the commander in chief for the time being; and if any officer shall (except as before excepted) on any pretence whatsoever, impress without his consent any wagon, cart or carriage in the service of the said commissary of hides, he shall immediately on application to the commanding officer nearest the place where the transaction happens, be put under arrest, be liable to pay all loss the states sustain by such impressment, and suffer such other punishment as shall be deemed proper by a court martial:

That the commander in chief and the commanding officer of any department, post or detachment, be directed to supply the commissary general of hides and his

respective deputies with guards for their waggons, when the said commissary shall apply for the same and they shall appear to be necessary :

That the said commissary of hides shall make a return once in every three months to the board of war of his whole transactions, specifying the number of workmen employed, the quantities of hides on hand, the quantities exchanged for leather and shoes, what quantity is made up into shoes, and what otherwise disposed of ; and to enable him to do this, his deputies and assistants, whose names, occupations and pay or wages he is also to return, shall make monthly returns to the said commissary of hides.

That the said commissary of hides shall receive and take care of the tallow and all other useful offal of the cattle belonging to the United States, and see that the said tallow is properly rendered and made fit to be manufactured into candles and soap for the use of the army, and shall deliver the said tallow so rendered to the commissary general of purchases or his order, taking receipts for the same, reserving so much of the said tallow, as may be necessary for the manufactory of the leather and the use of his own department :

That the commissary of hides have the appointment of all deputies and assistants to be employed under him, for whose conduct he shall be responsible, and have authority to displace them at pleasure.

The board of treasury brought in a report ; whereupon

*Ordered*, That there be advanced to George Ewing, esquire, commissary of hides, 8000 dollars for the use of his department, and for which he is to be accountable.

Whereas it is represented that mons. du Coudray had in his pocket-book the day he was unfortunately drowned the order of Congress of the 15th of September for paying to him 1500 dollars, for the use of the gentlemen who accompanied him from France, named in the said order, and that the said order has been never paid but is lost.

*Ordered*, That the money mentioned in the said order be paid to mons. le Brun, for the use of the gentlemen therein named, he to be accountable.

*Ordered*, That there be paid to Thomas Heyward, esquire, one of the committee of foreign affairs, 29 84-90 dollars advanced by him to an express for bringing dispatches to Congress.

*Ordered*,



*Ordered*, That That there be paid to Silas Talbut 423 2-3 dollars, in full for his account of expences and losses in consequence of his taking the command of a fire ship in the North-river and attempting to burn one of the British ships of war in the said river.

A letter and memorial from Archibald Allan and Reynold M'Donnel (prisoners) were read:

*Ordered*, That they be referred to the board of treasury.

A memorial from colonel de la Balme, inspector of cavalry, was presented to Congress and read, wherein he intreats Congress to accept his resignation and to order the payment of what is due to him: whereupon

*Resolved*, That the resignation of colonel de la Balme be accepted, and that the arrears due to him be paid.

*Ordered*, That the committee appointed to prepare an earnest recommendation to the several states to proceed to taxation, and to prepare an estimate of the quotas to be raised in each state by such taxation, &c. sit on that business and report on Tuesday next.

*Four o'clock, P. M.*

Congress resumed the consideration of the article of confederation last under debate, and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

MONDAY, October 13, 1777.

A letter of the 7th from general Washington near Penabaker's mill, with sundry papers inclosed, another of the 10th from general Washington, 26 miles from Philadelphia, were read.

*Ordered*, That 300,000 dollars be paid to the board of war, to be by them sent as speedily as possible to the pay-master general for the use of the army under the command of general Washington.

Another letter of the 8th from general Washington; one of the 4th from governor Livingston; one of the 5th from general Gates at Behma's heights, inclosing sundry papers; one of the 6th and one of the 12th from general Sullivan; one of the 1st from John Smith, lieutenant of Frederick

Frederick county, Virginia, with fundry papers inclosed, were read; also a remonstrance from Israel Pemberton and others, and a memorial from chevalier du Portail; were read

*Ordered*, That the letters from general Washington, governor Livingston, general Gates, and Mr. Smith, and the memorial from Israel Pemberton and others, be referred to the board of war.

A letter of the 2d from colonel Nichola was read:

*Ordered*, That it be referred to the board of war.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That the commissioned and non-commissioned officers who accompanied mons. du Coudray from France have the ranks proposed for them in France, together with the pay and emoluments of officers of equal ranks in the service of the United States.

That in case the said officers shall decline accepting the above proposals, it be referred to the board of treasury to consider what gratifications shall be given to the said officers respectively in compensation for their loss of time and expence, and to defray the charges of their voyage to France.

That it be referred to the board of treasury to settle the accounts of the late mons. du Coudray.

*Ordered*, That the board of war apply to the the executive power of Pennsylvania and request their co-operation to supply the army with shoes, stockings and other necessaries, and that the board maintain a constant correspondence with the executive powers of the said state, and with general Washington, for the purpose above mentioned, and for the service of the army in general.

*Four o'Clock, P. M.*

*Resolved*, That it would be inconsistent with the public safety to permit doctor John Connolly, at present a prisoner on parole, to remain any longer at large, and therefore that the board of war be directed to order him into safe custody immediately, taking care to seize such of his papers as may be of a political nature.

Whereas a number of the members appointed to hear and determine appeals are absent;

*Resolved*, That a new committee, to consist of five members, be appointed, and that they or any three of them  
be

be empowered to hear and finally determine upon appeals brought to Congress.

The members chosen, Mr. J. Adams, Mr. Jones, Mr. Law, Mr. Marchant and M. Laurens.

Congress resumed the consideration of the article of confederation under debate, whereupon it was moved,

“That the proportion of the public expence incurred by the United States for their common defence and general welfare to be paid by each state into the treasury, be ascertained by the value of all property except household goods and wearing apparel within each state to be ascertained agreeable to the directions of Congress.”

Question put, passed in the negative.

Another amendment was moved, and after debate the determination thereof, at the request of a state was postponed till to-morrow.

The several matters to this day referred, being postponed, adjourned to ten o'clock to morrow.

TUESDAY, October 14, 1777.

A letter of the 13th from colonel G. Morgan, with sundry papers and accounts inclosed, was read:

Ordered, That the same be referred to the board of treasury.

Congress resumed the consideration of the amendment moved yesterday, viz. “That the proportion of the public expence incurred by the United States for their common defence, and general welfare, to be paid by each state into the treasury, be ascertained by the value of all land within each state, granted to or surveyed for any person, as such land, the buildings and improvements thereon shall be estimated, according to such mode as Congress shall from time to time direct and appoint.”

New Hampshire,	Mr. Folsom,	no	} no
Massachusetts Bay,	Mr. S. Adams,	no	
	Mr. J. Adams,	no	
	Mr. Gerry,	no	
	Mr. Lovell,	no	} no
Rhode Island,	Mr. Marchant,	no	
Connecticut,	Mr. Dyer,	no	} no
	Mr. Law,	no	
	Mr. Williams,	no	
New York,	Mr. Duane,	no	} divided.
	Mr. Duer.	ay	

New-

New-Jersey,	Mr. Witherspoon	ay	} ay
	Mr. Elmer,	ay	
Pennsylvania,	Mr. Morris,	ay	} divided.
	Mr. Roberdeau,	no	
Maryland,	Mr. Chase,	ay	} ay
	Mr. Carrol,	ay	
	Mr. Smith,	ay	
Virginia,	Mr. Jones,	ay	} ay
	Mr. F. L. Lee,	ay	
	Mr. R. H. Lee,	ay	
North Carolina,	Mr. Penn,	ay	} ay
	Mr. Burke,	ay	
	Mr. Harnett,	ay	
South-Carolina,	Mr. Middleton,	ay	} ay
	Mr. Heyward,	ay	
	Mr. Laurens,	ay	

So it was resolved in the affirmative.

A memorial from W. Buchanan, commissary general of purchases, was read :

*Ordered*, That it be referred to the committee appointed to confer with him.

*Resolved*, That Mr. Folsom, Mr. Penn, and Mr. Laurens be added to the marine committee, in the room of the members from their respective states heretofore appointed on the said committee.

Whereas the British nation have received into their ports, and condemned in their courts of admiralty as lawful prize several vessels and their cargoes belonging to these states, which the masters and mariners, in breach of the trust and confidence reposed in them, have betrayed and delivered to the officers of the British crown:

*Resolved*, therefore, That any vessel or cargo, the property of any British subject, not an inhabitant of Bermuda or any of the Bahama Islands, brought into any of the ports or harbours of any of these United States by the master or mariners, shall be adjudged lawful prize and divided among the captors in the same proportion as if taken by any continental vessel of war.

*Four o'Clock, P. M.*

The committee on the treasury brought in a report, whereupon

*Ordered*, That a warrant issue on the commissioner of the loan-office for the state of Pennsylvania for 10000 dollars in favour of William Henry, esquire, appointed



to purchase shoes and leather and to superintend the reparation of continental arms for the use of his department, and for which he is to be accountable.

*Ordered*, That there be paid to Robert Turner, or his order, 462 1-3 dollars, in discharge of a bill drawn on the continental treasurer, by John Ashe, esquire, public treasurer of the state of North-Carolina, in his favor, dated 9th May, and expressed to be for the service of the United States; for which sum the said state is to be accountable, and the same is to be considered as part of the 500,000 dollars appropriated for that state.

Congress took into consideration that part of the articles of confederation relative to the manner of constituting the Congress of the United States.

On the question put,

*Resolved*, That no person shall be capable of being a delegate for more than three years in any term of six years.

It was then moved,

“ That no state shall be represented in Congress by less than two nor by more than seven members.

New-Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. J. Adams,	no		
	Mr. Gerry,	ay		
	Mr. Lovell,	ay		
Rhode Island,	Mr. Marchant,	no		no
	Mr. Dyer,	ay	}	ay
	Mr. Law,	ay		
Connecticut,	Mr. Williams,	ay		
	Mr. Duane,	ay	}	ay
	Mr. Duer,	ay		
New York,	Mr. Wither Spoon,	no	}	no
	Mr. Elmer,	no		
New Jersey,	Mr. Morris,	ay	}	ay
	Mr. Roberdeau,	ay		
Pennsylvania,	Mr. Chase,	ay	}	ay
	Mr. Carroll,	ay		
	Mr. Smith,	ay		
Maryland,	Mr. Jones,	ay	}	ay
	Mr. F. L. Lee,	ay		
	Mr. R. H. Lee,	ay		
Virginia,	Mr. Penn,	ay	}	ay
	Mr. Burke,	ay		
	Mr. Harnett,	ay		
North-Carolina,				South-

South Carolina,

Mr. Middleton, ay  
Mr. Heyward, ay } ay  
Mr. Laurens, ay }

So it passed in the affirmative.

A memorial from the chevalier Dorset was read :

*Ordered*, That it be referred to the committee on foreign applications.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, October 15, 1777.

Mr. Harvie, a delegate from Virginia, attended and took his seat :

*Ordered*, That the committee of commerce take effectual measures to make as public as possible the resolution passed yesterday for making lawful prize British vessels or cargoes brought into any of the ports of the United States by the master or mariners.

A letter of the 8th from general Putnam at Fishkill was read.

*Ordered*, That it be referred to the committee of intelligence.

A motion was made for recruiting the army :

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. Gerry, Mr. Duer, and Mr. R. H. Lee.

*Ordered*, That the committee sit on this business this evening and report to-morrow morning.

The committee to whom was referred the letter of William Buchanan, commissary general of purchases, dated the 14th, brought in a report which was taken into consideration ; whereupon

*Resolved*, That a deputy commissary general of purchases, and a deputy commissary general of issues be appointed for supplying the forts and posts on the western frontiers of Pennsylvania and Virginia, and that the limits of the district be assigned by the respective commissaries general :

That assistant purchasing commissaries be not allowed in the district aforesaid :

That the said deputy commissary general of issues be directed to receive from colonel G. Morgan all the provisions

vifions in his poffeffion, belonging to the United States, who is directed to take receipts for the fame, and deliver his accounts and vouchers to the board of treasury in order for fettlement, and for charging the faid provifions to the commiffary of iffues.

*Ordered*, That to-morrow be affigned for appointing the deputy commiffaries general aforefaid.

Congrefs took into confideration the article of confederation relative to the powers of Congrefs ; and after debate,

*Resolved*, That the farther confideration thereof be postponed to the afternoon.

*Four o'Clock, P. M.*

*Ordered*, That Mr. Morris have leave of abfence till Monday next.

The committee on the treasury brought in a report ;—whereupon

*Ordered*, That there be advanced to William Buchanan, efquire, commiffary general of purchases, 100,000 dollars for the ufe of his department, he to be accountable.

*Resolved*, That a committee of three be appointed to confider of, and report a competent allowance to fupport the extraordinary expence of the prefident of Congrefs in the execution of his office :

The members chofen, Mr. Duane, Mr. Laurens, and Mr. Morris.

Congrefs refumed the confideration of the article of confederation under debate this morning, whereon it was moved,

“ That in order to render the prefent union and confederacy firm and perpetual, it is effential that the limits of each refpective territorial jurifdiction fhould be afcertained by the articles of confederation ; and therefore it is recommended to the legiflatures of every ftate to lay before Congrefs a defcription of the territorial lands of each of their refpective ftates, and a fummary of the grants, treaties and proofs upon which they are claimed or eftablifhed.”

New Hampshire,	Mr. Folfom,	no		no
Massachusetts-Bay,	Mr. S. Adams,	no		
	Mr. J. Adams,	no	}	no
	Mr. Gerry,	no		
	Mr. Lovell,	no		

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Ecc

Rhode-

Rhode-Island,	Mr. Marchant,	no	}	no
Connecticut,	Mr. Dyer,	no		
	Mr. Law,	no	}	no
	Mr. Williams,	ay		
New York,	Mr. Duane,	ay	}	ay
	Mr. Duer,	ay		
New-Jersey,	Mr. Witherspoon,	no	}	no
	Mr. Elmer,	no		
Pennsylvania,	Mr. Morris,	ay	}	ay
Maryland,	Mr. Chase,	ay		
	Mr. Carroll,	ay	}	ay
	Mr. Smith,	no		
Virginia,	Mr. Jones,	no	}	no
	Mr. F. L. Lee,	no		
	Mr. R. H. Lee,	no	}	no
North-Carolina,	Mr. Penn,	no		
	Mr. Harnett,	no	}	no
South-Carolina,	Mr. Middleton,	no		
	Mr. Heyward,	no	}	no
	Mr. Laurens,	no		

So it passed in the negative.

It was then moved, "that the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim to the south sea, and to dispose of all land beyond the boundary so ascertained for the benefit of the United States ;" question put,

Passed in the negative.

It was then moved, "that the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim to the Mississippi or south sea, and lay out the land beyond the boundary so ascertained into separate and independent states from time to time as the numbers and circumstances of the people thereof may require."

New-Hampshire,	Mr. Folsom,	no	}	no
Massachusetts-Bay,	Mr. S. Adams,	no		
	Mr. J. Adams,	no	}	no
	Mr. Gerry,	no		
	Mr. Lovell,	no	}	no
Rhode Island,	Mr. Marchant,	no		
Connecticut,	Mr. Dyer,	no	}	no
	Mr. Law,	no		
	Mr. Williams,	no	}	New



New-York,	Mr. Duane,	no	}	no	
	Mr. Duer,	no			
New Jerſey,	Mr. Witherſpoon,	no	}	divided	
	M. Elmer,	ay			
Pennſylvania,	Mr. Morris,	no	}	no	
Maryland,	Mr. Chafe,	ay			
	Mr. Carroll,	ay	}	ay	
	Mr. Smith,	ay			
Virginia,	Mr. Jones,	no	}	no	
	Mr. F. L. Lee,	no			
	Mr. R. H. Lee,	no	}		
	Mr. Harvie,	no			
North-Carolina,	Mr. Penn,	no	}	no	
	Mr. Harnett,	no			
South-Carolina	Mr. Middleton,	no	}	no	
	Mr. Heyward,	no			
	Mr. Laurens,	no			

So it paſſed in the negative.

The ſeveral matters to this day referred being poſtponed, adjourned to ten o'clock to-morrow.

THURSDAY, October 16, 1777.

A letter of the 13th from general Waſhington, with the copy of the judgment of a court of enquiry appointed to examine into the conduct of major general Sullivan in the expedition commanded by him to Staten-Island in the month of Auguſt laſt, and ſundry other papers; alſo a letter of the 10th from Jonathan Trumbull, junior, deputy pay-maſter general in the Northern department, and one of the 14th from general Miſſlin at Reading, with ſundry papers incloſed; were read.

*Ordered,* That 2249 dollars be paid to meſſ. Livingſton and Turnbull, or order, in diſcharge of a bill in their favour drawn by J. Bradford, dated Boſton 27th Auguſt, 1777, on the marine committee, expreſſed to be for value received for the naval department in the ſervice of the United States; the ſaid J. Bradford to be accountable.

*Ordered,* That the letter from general Waſhington, with the papers incloſed be referred to the board of war, and that the judgment of the court of enquiry be publiſhed.

*Ordered,* That the letter from general Miſſlin and J. Trumbull, eſquire, be referred to the board of treaſury.

*Ordered,* That a warrant for 200,000 dollars be drawn on the commiſſioner of the loan-office for the ſtate of Maſſachusetts-Bay, in favour of Jonathan Trumbull, junior, deputy paymaſter

paymaster general for the use of the army in the Northern department, and for which the said J. Trumbull is to be accountable.

*Ordered*, That a copy of general Washington's letter of the 13th and the returns relative to cloathing wanted for the army, be sent by express to each of the states of Massachusetts-Bay Connecticut, New-Jersey, Pennsylvania, Maryland and Virginia, and that they be respectively requested to send to the general with all possible dispatch as many of the several articles mentioned in the return, as can be collected and are not immediately wanted for their respective regiments which have not joined the army, and to order the officers in the cloathier's department in the states aforesaid to use their utmost exertions in forwarding the cloathing in their possession.

*Four oclock, P. M.*

Congress took into consideration a report of the committee on departments, relative to the board of war and ordnance which was debated by paragraphs :

In debating the 6th paragraph it was moved, after records to add "and papers," and after board to add "except the returns of the army, military stores or provisions:" in lieu of this it was moved only to add these words "and to take copies thereof, excepting copies of returns of the armies, provisions, or military stores, which shall not be delivered to any member without the order of Congress:" the question being put on the last—

New-Hampshire,	Mr. Folsom,	ay		ay
Maffachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. J. Adams,	ay		
	Mr. Gerry,	ay		
	Mr. Lovell,	ay		
Rhode-Island,	Mr. Marchant,	ay	}	ay
Connnecticut,	Mr. Dyer,	ay		
	Mr. Law,	no	}	ay
	Mr. Williams,	ay		
New-York,	Mr. Duane,	ay	}	ay
	Mr. Duer.	ay		
New-Jersey,	Mr. Wither Spoon,	no	}	divided
	Mr. Elmer,	ay		
Maryland,	Mr. Chase,	no	}	no
	Mr. Carroll,	ay		
	Mr. Smith,	no		

Virginia

Virginia,	Mr. Jones,	<i>no</i>	} <i>no</i>
	Mr. F. L. Lee,	<i>no</i>	
	Mr. R. H. Lee,	<i>no</i>	
	Mr. Harvie,	<i>ay</i>	
North-Carolina,	Mr. Penn,	<i>no</i>	} <i>no</i>
	Mr. Harnett,	<i>no</i>	
South-Carolina,	Mr. Middleton.	<i>ay</i>	} <i>ay</i>
	Mr. Heyward,	<i>ay</i>	
	Mr. Laurens,	<i>ay</i>	

So it was resolved in the affirmative.

The farther consideration of the report being postponed,  
Adjourned to ten o'clock to-morrow.

FRIDAY, *October* 17, 1777.

The committee on the treasury brought in a report—  
whereupon

*Ordered*, That there be advanced to Ebenezer Hazard, esquire, surveyor general of the post-office of the United States, 3000 dollars for the use of the said department, he to be accountable :

That there be advanced to Joseph Holmes, esquire, deputy commissary general of prisoners, 1500 dollars towards the expence of hiring houses or erecting barracks with pallisades for the habitation of the prisoners of war ordered to be removed into Virginia, he to be accountable :

That there be advanced to colonel George Morgan, 14000 dollars on account of expences incurred by him for the public service at fort Pitt, he to be accountable :

That there be paid to mess Price and Haywood, 348 dollars on account of a balance due to them from the United States :

That four sets of exchange be drawn by the president on the honorable Benjamin Franklin, Arthur Lee and Silas Deane, esquires, commissioners of the United States in France, and countersigned by the auditor or assistant auditor general; one set for 18796 Spanish milled dollars, one set for 11748 Spanish milled dollars, one set for 4699 Spanish milled dollars, and one other set for 2349 Spanish milled dollars, making in the whole 37592 Spanish milled dollars, in favour of mess. James Price and William Haywood, in full payment of all demands which they or either of them have against the United States :

That the president issue the following warrants in favor of major general Mifflin, quartermaster general, for which he is to be accountable, viz. one on the commissioner of the loan-office

five in the state of Connecticut for 50000 dollars, to be transmitted to the deputy quartermaster general at Fishkill ; one on the commissioner of the loan office in the state of New-Hampshire for 50000 dollars, to be transmitted to the deputy quartermaster general at Hartford ; one on the commissioner of the loan office in the state of Virginia 50000 dollars, to be transmitted to the deputy quartermaster general at Williamsburgh ; one on the commissioner of the loan office in the state of New-Jersey for 40000 dollars, to be transmitted to the deputy quartermaster general at Easton ; and one on the commissioner of the loan-office in the state of Pennsylvania for 60000 dollars :

And that there be paid to the said quartermaster general, out of the treasury or monies in the hands of the auditor-general, the farther sum of 102000 dollars for the use of his department, and for which he is to be accountable ; the said several sums amounting to 352000 dollars, for which the said quartermaster general has made application by letter to Congress, dated the 14th instant.

*Resolved*, That Congress highly approve of the brave and spirited conduct of commodore Hazlewood and the other officers and men concerned in the defence of the river Delaware, and of their undaunted perseverance and resolution to maintain that pass to the city of Philadelphia to the utmost extremity.

*Resolved*, That four members be added to the board of war :

The members chosen, Mr. Harvie, Mr. Wither Spoon, Mr. Williams and Mr. Jones.

A letter of this day from Joseph Pennel was read :

*Ordered*, That it be referred to the board of treasury.

The committee to whom was referred a motion for recruiting the army, brought in a report, which was taken into consideration ; whereupon Congress came to the following resolutions :

Whereas the deficiency of the several battalions now in the service has, in the present campaign, been attended with manifest disadvantages to the United States ; and whereas the divided state of the enemy's troops, their reduced number and distance from their ships of war, afford the most favorable opportunities for attacking and subduing them before reinforcements can be sent to their aid ; which salutary purpose may, under Providence, be obtained by the vigorous exertions of the several states for speedily filling their several battalions :

*Resolved*, That it be earnestly recommended to the said states, to use their utmost endeavours for immediately completing their several quotas, and to address their inhabitants on the advantages that will result therefrom : That



That to the premium of five dollars offered by a resolution of Congress of the 31st July last for apprehending and securing deserters from the continental army, an addition be made of five dollars for each deserter so apprehended and secured, and 12-90 of a dollar for each mile between the place in which he may be taken, and that to which he may be conveyed.

That the premium and other expences for apprehending deserters be stopped out of the pay which may be already due to such deserters respectively or that shall become due to such of them as may receive a pardon.

That it be recommended to the legislatures of the several states to provide by law for more effectually detecting and punishing any person who shall knowingly harbour, conceal or assist any deserter from the land or sea service of these states, or who shall knowingly detain, buy, exchange or receive any horse, arms, accoutrements or cloaths belonging to the United States, from any foldier, trooper, mariner, deserter, or any other person; and that the penalties for such offences be exemplary and the mode of recovery easy and expeditious.

That copies of the above resolves, with duplicates of the resolution of Congress of the 31st of July last, be sent to the respective states, and that they be desired to publish such parts thereof as they shall judge necessary.

That general Washington be directed forthwith to order one or more of his officers that are or may be appointed to receive recruits and deserters, agreeable to the resolution of the 31st of July last, to apply to the supreme executive authority of each respective state for the names of the recruiting officers and of the places of rendezvous, which the said executive authorities were requested to appoint by the resolution aforesaid; and that the said executive authorities are requested to furnish such commissioned officer or officers with sufficient sums of money to pay the premiums, mileages and subsistence of the recruits and deserters, which they may receive agreeable to the said resolve; to draw on Congress for such advances; to call to account for the same the officer or officers, and arrest such as shall refuse to account; and the said officer and officers are respectively directed punctually to pay the premium for each recruit and deserter as aforesaid; to take receipts for the money paid and to adjust their respective accounts with the supreme executive authority aforesaid before they leave the state, and constantly to publish the names of the places of their residence and rendezvous as aforesaid.

That

That General Washington be directed to publish a proclamation, offering pardon to such as have deserted from the continental army and shall on or before such day as he shall think proper to fix in his proclamation return to their respective corps or surrender themselves to the officers appointed to receive recruits and deserters in the respective states or to any other continental commissioned officer.

Some packets from Martineque, directed to Willing, Morris and Co. being brought into Congress while Mr Morris was absent, and it being represented that, from the information of the person who brought the packets, there was reason to believe they contained dispatches for congress or some of its committees

*Ordered,* That the covers be opened.

The committee on the post office brought in a report.

*Four o'clock, P. M.*

Congress took into consideration the report of the committee on the post-office; whereupon

*Resolved,* That the postmaster general be authorised, during the present exigence, to appoint two additional surveyors of the post-office, and that all the surveyors be allowed six dollars a day each, in full consideration of travelling expences and all other allowances.

That the tour of the whole be as follows; one from Calco-Bay to Philadelphia, or, during the enemy's being in possession of that city, to Lancaster; one from Philadelphia or Lancaster to Edentown in North-Carolina, and the third from Edentown to Savannah in Georgia;

That an inspector of dead letters be appointed, with a salary of one hundred dollars a year; to examine all dead letters at the expiration of each quarter; to communicate to Congress such as contain inimical schemes or intelligence; to preserve carefully all money, loan-office certificates, lottery tickets, notes of hand and other valuable papers inclosed in any of them, and be accountable for them; and to keep a book containing an exact account of such papers, &c. so found, the date of the letters, from whence and by whom written and to whom directed; that he be under oath faithfully and impartially to discharge the duties of his office; that he be enjoined to take no copy of any letter whatever, and not to divulge their contents to any but Congress or those whom they may appoint for the purpose:

That the post go not out of his regular and usual course in order to pass by head quarters, but that the postmasters on each

each side of head quarters and nearest to them have authority to hire expresses for the purpose of carrying letters for the army to the post-office there :

That the rate of postage be encreased fifty per cent.

*Resolved*, That an allowance of 250 dollars be made to the present surveyor of the post office for past extraordinary services.

*Resolved*, That the committee of intelligence be authorized to take the most speedy and effectual measures for getting a printing press erected in Yorktown, for the purpose of conveying to the public the intelligence that Congress may from time to time receive.

Congress resumed the consideration of the report on the war-office which was agreed to as follows :

*Resolved*, That a board of war be established, to consist of three persons not members of Congress :

That there shall be a secretary to the said board, to be appointed by Congress :

That the board shall recommend for the approbation and appointment of Congress as many clerks as shall be necessary for assisting them in the execution of the business of their department.

That the power and duties of the said board be as follows. To obtain and keep an alphabetical and accurate register of the names of all officers in the land forces in the service of the United States, with their ranks and the dates of their commissions ; to fill up all military commissions, which shall be signed by the president of Congress and countersigned by the secretary of the war-office, and to publish annually a register of all appointments ; to obtain and keep regular and exact accounts of the numbers and disposition of the forces of the United States ; to obtain and keep exact accounts of all the artillery, arms, ammunition, warlike stores, cloathing, medicines and provisions belonging to the United States, and of the manner in which and the places where the same shall from time to time be lodged and employed ; to take the immediate care and direction of all such artillery, arms, ammunition and warlike stores as shall not be employed in actual service ; to superintend the building and management of laboratories, arsenals, founderies, magazines, barracks and other public buildings, the necessity of which they are from time to time to report to Congress ; to forward all dispatches from Congress to the states and armies, and all monies ordered by Congress to be transmitted for the public service, and to provide guards for the safe conveyance of such dispatches and monies, whenever it shall appear to the board to be necessary ; to superintend the raising,

recruiting and dispatching of the land forces in the service of the United States ; to take care and direction of prisoners of war ; to lay before Congress proper and seasonable estimates of such artillery, arms, ammunition and warlike stores, cloathing and medicines as shall from time to time be wanted for the service of the United States ; to execute all such matters as they shall be directed ; to give their opinion on all such subjects as shall be referred to them by Congress ; and in general to superintend the several branches of the military department ; and if at any time they think a measure necessary for the public service, to which their powers are incompetent, they shall communicate the same to Congress for their direction therein ; to keep fair entries of all the business transacted by them :

The said board shall sit in the place where Congress shall be held, and no member of the board shall absent himself without leave of Congress ;

All the proceedings of the board shall be inspected by Congress or a committee by them appointed for that purpose, once a month or oftner, as may be thought proper and convenient ; and every member of Congress may have free access to the records of the said board and take copies thereof, excepting copies of returns of the armies, provisions or military stores, excepting copies of returns of the armies, provisions or military stores, which shall not be delivered to any member without the order of Congress.

*Resolved*, That all military and other officers attending upon or connected with the army of the United States, be and they are hereby required and enjoined to observe the directions of the said board in making and transmitting proper returns, and such other matters as may tend to facilitate the business of the said board :

That it be recommended to each of the United States to give the said board all necessary assistance in the execution of the business of their department.

*Resolved*, That the salary of each of the three gentlemen who shall conduct the business of the board of war be two thousand dollars per annum.

*Ordered*, That to-morrow be assigned for electing commissioners to audit and settle the accounts of Georgia against the United States.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

SATURDAY, October 18, 1777.

A letter of the 14th from general Gates at Saratoga, and sundry papers enclosed, were read :

*Ordered*,



*Ordered*, That they be referred to the committee of intelligence.

*Resolved*, That all letters, returns and dispatches relative to the public affairs of these United States in the department of the treasury board, the board of war, the marine committee, the committee of commerce, the committee of foreign affairs, and all other committees and departments be for the future directed to Congress or the president; any resolution of Congress to the contrary notwithstanding.

The committee of commerce laid before Congress a letter from Mr. Bingham at Martinique, containing a copy of sundry resolutions passed by the assembly of the state of Georgia the 26th May last, and sundry other papers, which were read: whereupon

Congress taking into consideration a resolve of the house of assembly of Georgia of the 26th May last, purporting "that captain de la Playne be empowered to engage two or three engineers of character, with some officers for the artillery service, and that there be delivered to him some blank continental commissions, which he may bestow on such officers as he may think proper for recruiting men, both soldiers and sailors, which business if compleated, the officers and men shall be received into the continental battalions and service of that state: and that he do also receive cadets according to the usual custom of the army."

*Resolved*, That Congress highly disapprove of continental commissions being sent abroad in the manner and for the use mentioned in the said resolve, as well as of the design to recruit soldiers for the continental service in foreign parts without application to Congress and permission from the princes and governments within whose dominions such recruits may be obtained.

*Ordered*, That this resolve be transmitted to the American commissioners at Paris by the committee for foreign affairs:

That a copy thereof be sent to the state of Georgia.

*Ordered*, That the letters and papers be referred to the board of war.

A letter to the medical committee from William Shippen, director general, was read:

*Ordered*, That it be referred to the board of war.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, October 20, 1777.

A letter of the 16th from general Washington at Wentz's tavern, inclosing a letter of the 8th and one of the 13th from Jacob

Jacob Duche ; also a letter of the 11th from colonel David Mason, inclosing the judgment of a court martial on the trial of John More, a deserter, were read :

*Ordered*, That the judgment of the court martial be referred to the board of war, and the letter from colonel Mason to the board of treasury.

A letter of the 16th from the reverend Mr. George Duffield at Trenton, was read, wherein he declares his acceptance of the office of Chaplain to Congress.

Congress proceeded to the election of a chaplain for the hospital in the middle department, and the ballots being taken, The reverend Mr. Elihu Spencer was elected.

The board of war brought in a report ; whereupon

*Resolved*, That the governor and council of Maryland be informed that the artillery regiments in the service of the United States have suffered so much in the late engagements that there are not a sufficient number to do the duty of artillery men in the army, and therefore that the government of that state be earnestly requested to order the companies of matrosses in the service of the state of Maryland, to join the army immediately and that the said companies shall be ordered to return whenever the government of that state shall require it.

*Resolved*, That the result of the court of enquiry into the expedition of Staten Island, so honorable to the character of general Sullivan, is highly pleasing to Congress, and that the opinion of the said court be published in justification of the injured character of that officer.

*Resolved*, That brigadier general R. Howe and brigadier General McDougal be promoted to the rank of major general in the army of the United States.

*Resolved*, That Mr. William Massey be appointed deputy muster master general to the continental troops raised or to be raised in the state of South-Carolina and Georgia.

*Ordered*, That those parts of Mr. president Rutledge's letter of August the 8th and the whole of the 11th of September, to the delegates of South-Carolina, relative to Indian affairs, be referred to the committee on Indian affairs :

That general R. Howe's letter of August the 29th last relating to the general hospital in South Carolina, be referred to the medical committee.

Congress taking into consideration general R. Howe's letter of the 4th of September 1777, to the speaker and assembly of the state of Georgia, and another of the 28th of August to the president of Congress, in which he represents the danger of

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an Indian war being provoked by the wantonness and indiscretion of several persons in that state,

*Resolved*, That it be earnestly recommended to the president and assembly of the state of Georgia to use their utmost exertions to cultivate peace and harmony with the Indian nations; and to enable them to effect this salutary purpose, that they forthwith enact laws inflicting severe penalties on such of their inhabitants as may endeavour to provoke a war which may endanger the state of Georgia, and entail great injury and expence on the United States.

*Resolved*, That Samuel Allen M'Crosky and George Stevenson junior, be appointed first lieutenants; Andrew Colhoon and John M'Curdy second lieutenants, and William Montgomery and David Holmes ensigns, in the two regular companies appointed to be raised on continental establishment for the purpose of guarding the stores at Carlisle; and that commissions be filled up for them accordingly.

*Ordered*, That Mr. Heyward have leave of absence to convey his family to South-Carolina.

The committee on foreign affairs laid before Congress a letter of 11th August from W. Lee at Nantes, which was read:

*Ordered*, That it be referred to the committee of commerce.

*Four o'clock, P. M.*

Adjourned to ten o'clock to-morrow.

TUESDAY, October 21, 1777.

A letter of the 18th from general Washington and one of the 16th from general Putnam at Fishkill, both enclosing a copy of a letter of the 15th from governor Clinton at Kingston, giving an account of a capitulation signed on the evening of the 14th for the surrender of general Burgoyne and his army; a letter of the 17th from general Sullivan at Metuchin Hills, with sundry papers inclosed; one of the 19th from general Mifflin, inclosing a letter from colonel Lutterloe, giving an account of general Howe's retreat from Germantown; one of the 14th from governor Trumbull at Hartford; one of the 9th from colonel Mason at Williamsburg; and a message from captain White Eyes; were read:

*Ordered*, That the message from captain White-Eyes be referred to the committee on Indian affairs.

*Resolved*,

*Resolved.* That Jesse Brown, who hath been employed as an express by his excellency governor Trumbull to the different departments and to and from Congress, and who hath proved himself faithful and alert in that business, submit his account for past services to the commissioners of accounts for the state of Connecticut, and charge the same to the account of the United States; and that he be continued as an express rider in the continental service.

*Resolved.* That the commissioners of the United States in France and Spain have full power to superintend and direct the several agents and factors of the said states, employed in the kingdoms aforesaid; to remove such as they shall judge disqualified for this office, and to appoint others in their room.

A motion being made for importing arms, ammunition, cloathing, &c.

*Ordered.* That it be referred to the board of war.

The board of treasury brought in a report; whereupon

*Ordered.* That a warrant issue on John Gibson, esquire, auditor general, in favour of the board of war for 50,000 dollars, to be transmitted by them to Benjamin Harrison junior, esquire, deputy paymaster general in the Southern department, who is to be accountable:

That a warrant issue on the treasurer in the favour of colonel Jeremiah Duggan, to be paid to Mrs. Duggan, for the sum of two hundred dollars, advanced on account of his pay as major commandant, he to be accountable:

That there be advanced to John Baynton esquire, deputy paymaster general at Pittsburgh, 10,000 dollars, for which he is to be accountable.

Congress resumed the consideration of the articles of confederation as reported by the committee of the whole: in debating the sixth article, it was moved that instead of "no state shall lay any imposts or duties which may interfere with any stipulations in treaties hereafter entered into by the United States assembled, with any king, prince or state," it shall run thus "no state shall lay any imposts or duties upon goods, wares or merchandize imported or exported by any foreign nation with whom the United States assembled shall enter into any commercial treaty, other than what shall be laid upon the inhabitants of such state; provided that any state may totally prohibit the exportation or importation of any particular species of goods, wares or merchandize; and provided  
also



also that if any foreign nation shall not allow the same privileges, exemptions or advantages to the people and vessels of any state trading in their ports as to their own people and vessels, the said state may disallow the like privileges, exemptions and disadvantages to those foreigners:" after some debate thereon the consideration thereof was postponed to the afternoon.

*Four o'Clock, P. M.*

The committee appointed to confer with the commissary general of purchases brought in a report :

*Ordered,* That the consideration thereof be postponed till to-morrow.

Congress resumed the consideration of the amendment moved this morning, and the question being put,

The states were equally divided.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, October 22, 1777.

*Ordered,* That a warrant issue on the treasurer for 4000 dollars in favour of George Ross, esquire, and company, owners of the Mary Ann Furnace, in part payment of cannon ball made by them for the use of the navy, agreeable to a contract with the navy board for the Middle department, which board is to be charged with the sum, and the said George Ross and company to be accountable to them for the same.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved,* That the case of John More, a private in the 4th Virginia regiment, tried and condemned to be shot for desertion, together with the proceedings of the court-martial, be referred to general Washington for his determination thereupon.

A petition from Daniel Shelly, a prisoner in the goal of Carlisle in the state of Pennsylvania, and a copy of his examination were laid before Congress and read :

*Ordered,* That the same be referred to the executive council of Pennsylvania.

A letter from Daniel Clymer to Richard Bache respecting the confinement of Mr William Franklin was laid before Congress and read :

*Ordered,* That it be referred to the board of war.

A petition and memorial of Cumberland Dugan of Baltimore was read :

*Ordered*, That it be referred to the marine committee.

Congress took into consideration the report of the committee appointed to confer with the commissary general of purchases on the measures to be adopted by him for obtaining the necessary supplies of provisions for the ensuing year, together with a proposed alteration in the ration ; whereupon

*Resolved*, That the commissary general of purchases be authorised and empowered to apply to the governor and council of safety of Connecticut, or to the board of war of the Massachusetts Bay, or to empower the deputy commissary general of purchases for the Eastern district, to import or contract with persons, who shall import and supply on reasonable terms a sufficient quantity of salt for the army of the United States in the Middle district ; that the masters of the vessels to be employed for this purpose be severally directed to deliver their cargoes of salt at such ports in the Middle or Southern districts as the commissary general shall think most convenient, and that he order cargoes of flour or grain, on the arrival of those vessels at the ports aforesaid, to be provided and shipped in them for the army in the Eastern district :

And the said governor and council of safety and board of war are severally requested to assist the commissary in accomplishing these purposes, and to grant or procure permits for exporting cargoes to purchase the salt.

And whereas there is an immediate demand for the article aforesaid in the Middle district ;

*Resolved*, That the supreme executive authorities of the states of Massachusetts-Bay and Connecticut be respectively requested to assist the commissary general of purchases in procuring waggons or teams for removing 12000 bushels of salt from the Eastern to the Middle district, that the said commissary be directed to employ the waggons or teams procured in the Massachusetts-Bay to remove the salt from thence to Connecticut ;—and those procured in the states last mentioned, in removing the salt from thence to such places on the North river as he shall judge most convenient ; and the said commissary general is directed to procure waggons or teams in the Middle district and load them with flour to be delivered at the North river and sent by the teams bringing the

the salt from Connecticut to the magazines of the army in that state; and that the waggons or teams from the middle district be employed to bring from the north river the salt to be deposited there as aforesaid:

That the commissary general of issues be directed to apply to general Washington for a certificate of the provisions allowed for each ration drawn by the army, previous to the appointment of himself to the office aforesaid, and to direct the several issuing commissaries under him to deliver provisions to the army agreeably to the said certificate, till the further orders of Congress, any resolution of Congress to the contrary notwithstanding; and that the commissary general of issues transmit to Congress by the earliest opportunity, a copy of the certificate which he shall receive from general Washington.

*Resolved*, That the alteration proposed by the commissary general of purchases in the ration at present ordered by Congress to be issued to the army, be transmitted to general Washington, and that he be desired to communicate to Congress his sentiments on this subject as soon as possible.

*Ordered*, That the committee who brought in the foregoing report prepare a plan for establishing a board to superintend the departments of the commissaries and quartermaster general.

*Four o'Clock, P. M.*

Whereas reports injurious to the character of Colonel George Morgan, agent for Indian affairs at Fort Pitt, have prevailed, representing him as unfriendly to the cause of America.

*Resolved*, That a committee of three be appointed to enquire into the conduct of colonel Morgan; and that he be required forthwith to repair to Congress for that purpose; and that a proper person be appointed to perform the duties entrusted to colonel Morgan until the event of such enquiry.

The members chosen, Mr. R. H. Lee, Mr. Roberdeau, and Mr. Law.

*Ordered*, That to-morrow be assigned for appointing a proper person to perform the duties entrusted to colonel Morgan until the event of the enquiry ordered to be made into his conduct.

The committee on the treasury brought in a report; whereupon

*Ordered,* That there be advanced to lieutenant colonel Levin Powel. for the use of part of the Virginia regiment commanded by colonel William Grayson, now on their march to join the main army, 400 dollars, the said colonel Grayson to be accountable.

That there be advanced to major James Armstrong Wilson 520 dollars. to purchase blankets for the use of the two companies under his command stationed at Carlisle to guard the public stores deposited there.

The board of treasury report "that they have reason to think from the best information they can obtain that Mr. Robert Ritchie, one of the commissioners of claims, has not removed from the city of Philadelphia, and find that private concerns of Fitzsimmons, another of the commissioners, has prevented his necessary attendance to the business of the said office;" whereupon

*Resolved,* That two commissioners of claims be appointed to supply the places of the gentlemen aforesaid.

*Ordered,* That to-morrow be assigned for nominating the said commissioners and also a commissioner for auditing and settling accounts in the Northern department in the room of Mr Robert Carter, who has resigned.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

#### T H U R S D A Y, October 23, 1777.

Application being made on behalf of doctor John Linn, who was appointed director of the hospital in the district of Quebec, as appears by brigadier general Woolster's orders, dated Albany 30th September 1776, for a settlement of his accounts.

*Ordered,* That the settlement of his accounts be referred to the board of treasury.

Congress took into consideration a report of the marine committee of the 10th July last; whereupon

*Resolved,* That the navy board for the Eastern department be empowered to suspend any commander or other officer in the continental navy within their district, until the pleasure of Congress shall be known, giving immediate notice thereof to the marine committee, with the causes of such suspension.

The committee of commerce, to whom the petition and memorial of Cumberland Dugan was referred, brought in a report; whereupon

*Ordered,*



*Ordered*, That a warrant issue on the treasurer for 5000 dollars in favour of the committee of commerce, to enable them to settle the claims of Cumberland Dugan, specified in his petition and memorial referred to them; they to be accountable.

Congress resumed the consideration of the articles of confederation.

A motion was made to strike out the word "hereafter," and to add to the paragraph under debate on Tuesday these words, "in pursuance of any treaties already proposed by Congress to the courts of France or Spain:" and on the question put,

*Resolved*, in the affirmative.

On the paragraph restraining the several states from granting commissions to vessels of war, or letters of marque and reprisal, it was moved to add "unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise:"

On the question put,

*Resolved* in the affirmative.

On the article respecting the powers of Congress a motion was made to add to the first paragraph "provided that no members of Congress shall be appointed a judge of any of the said courts:"

Question put,

*Resolved* in the affirmative.

Another amendment was moved, after the word, "entering into treaties and alliances" to insert "provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever:"

After debate, the farther consideration thereof was postponed to the afternoon.

*Four o'clock, P. M.*

The committee on the treasury brought in a report; whereupon

*Ordered*, That a warrant issue on the treasurer in favour of Mrs. Fullerton for 160 dollars, being for the payment

ment of her husband Humphrey Fullerton's draft, dated Long Island, the 1st of May last, on the paymaster of the flying camp for sixty pounds, on account of his pay as surgeon to colonel Swope's Pennsylvania battalion of the flying camp, he being taken prisoner at fort Washington, and yet remaining so ; he to be accountable.

Congress resumed the consideration of the paragraph in the confederation under debate this morning, which being divided, and the question being put on the first part as far as the disjunctive, "or"—

New-Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. J. Adams,	ay		
	Mr. Lovell,	ay		
Rhode Island,	Mr. Marchant,	no		no
Connecticut,	Mr. Dyer,	no	}	no
	Mr. Law,	no		
	Mr. Williams,			
New York,	Mr. Duane,	ay	}	ay
	Mr. Duer,	ay		
New Jersey,	Mr. Witherspoon,	no	}	divided.
	Mr. Elmer,	ay		
Pennsylvania,	Mr. Morris,	ay	}	ay
	Mr. Roberdeau,	ay		
Maryland,	Mr. Smith,	ay		*
Virginia,	Mr. Jones,	ay	}	ay
	Mr. R. H. Lee,	ay		
	Mr. F. L. Lee,	ay		
	Mr. Harvie,	ay	}	ay
North-Carolina,	Mr. Penn,	ay		
	Mr. Harnett,	ay	}	divided
South Carolina,	Mr. Heyward,	ay		
	Mr. Laurens,	no		

So it was resolved in the affirmative.

The question was then put on the second part, and resolved in the affirmative.

*Resolved*, That the farther consideration of the article be postponed till to morrow.

The marine committee brought in a report ; whereupon

*Ordered*, That a warrant issue on Nathaniel Appleton, esquire, commissioner of the loan office in the state of Massachusetts-Bay, for 50,000 dollars, in favour of the navy board for the Eastern department, for the service  
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of the navy under their direction; they to be accountable:

That a warrant issue on Joseph Clark commissioner of the continental loan-office in the state of Rhode-Island, for fifty thousand dollars in favor of the navy board, for the Eastern department, for the service of the navy under their direction; they to be accountable.

That a warrant issue on Nathaniel Appleton, esquire, commissioner of the loan office in the state of Massachusetts Bay, for 3180 1-2 dollars, in favour of Isaac Smith, Ebenezer Storer and William Philips, esquires, agents appointed by the marine committee for settling the accounts of the prizes taken by the vessels fitted out by order of general Washington, to pay off a balance which the said agents certify to be due to captain Winthrop Sargent on his account.

*Resolved*, That any two being a majority of the navy board for the Eastern department, in the absence of the other, be and they are hereby empowered to do and transact all and every matter and thing, which by the constitution of the said board, all the members jointly were empowered to do.

*Resolved*, That the clerk of the navy board for the Eastern department, instead of the salary heretofore ordered, be allowed 55 dollars a month, and that the said navy board be and they are hereby empowered to appoint one other clerk if they shall judge it absolutely necessary and to allow him such salary as they shall judge adequate to his services not exceeding 55 dollars a month.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, October 24. 1777.

A letter of the 21st from general Washington at White-Marsh was read;

*Ordered*, That an extract thereof, so far as relates to the recruiting service and taking up deserters, be sent to the executive powers of each state.

A memorial from Jonathan Trumbull junior, deputy paymaster general in the Northern department, was read:

*Ordered*, That it be referred to the board of treasury.

A memorial from mons. de Crenis was read, praying to be appointed a lieutenant colonel of cavalry.

*Ordered*, That it be referred to the committee on foreign applications

Congress

Congress resumed the consideration of the article of confederation respecting the powers of Congress. and after some time the farther consideration thereof was postponed.

*Ordered,* That a warrant issue on the treasurer for 500 dollars in favour of doctor William Shippen, director general of the hospital, which is to be charged to the said doctor Shippen, and for which he is to be accountable; this being to indemnify the treasurer for so much advanced by him to the said doctor Shippen on account of the military hospital, as appears by his receipt dated 15th October 1777.

The president informed Congress that, with the advice of the marine committee, he had on the 7th January last, issued a warrant on the treasurer for 3000 dollars in favour of James Morris, esquire, for two months pay to the seamen who retook the brig Lexington, as a gratuity, and also for two months pay on account of wages due to the seamen of the Lexington, Mr. Morris to be accountable; with an order to the treasurer to omit charging this in the public books, 'till the books of the marine committee arrived, when the money would be properly charged; whereupon

*Ordered,* That the warrant be entered and the money charged by the treasurer in the public books.

A letter of the 19th from brigadier general Conway was read:

*Ordered,* That it be referred to the board of war.

Congress resumed the consideration of the article of confederation relative to the powers of Congress, and after some time spent thereon, adjourned to ten o'clock to morrow.

#### SATURDAY, October 25, 1777.

The committee on the treasury reported, that they have audited the accounts of Mr. president Hancock, for expenditures by him for the use of Congress, and there is due to him on balance of accounts 1392 32-90 dollars; whereupon

*Ordered,* That the treasurer pay the said balance to the president on a copy of this report being presented to him, certified by the secretary of Congress.

The said committee brought in a farther report; whereupon

*Ordered,* That there be advanced to Simon Hancock, captain of a company in colonel Josias Clapham's battali-



on of Virginia militia, 50 dollars, the said colonel Clapham to be accountable.

That a warrant issue on John Gibson, esquire, auditor general in favour of Archibald M'Donnel, for the sum of 260 dollars, it being for the allowance due to himself, Allan, Reynold, Allan junior and Alexander M'Donnel, and their three servants, prisoners from Tryon county in the state of New-York, from the 27th August to 19th November inclusive.

The committee on Indian affairs brought in a report; whereupon

*Resolved*, That the application of Abraham Nimham and his companions, in behalf of the Stockbridge Indians to be employed in the service of the United States, be referred to major general Gates, to whose army they are requested to repair.

*Ordered*, That 200 dollars be paid to the said Abraham Nimham for the use of himself and his companions, and as an acknowledgment for their zeal in the cause of the United States.

A letter from W. Stockton and others, prisoners in Carlisle gaol, and a letter of the 22d from the committee of Carlisle, with one inclosed from doctor John Kearsey, were read, representing the uncomfortableness of the gaol on account of the windows not being glazed; whereupon

*Resolved*, That the president write to the committee of Carlisle, and request them to apply to the commissioners of the county and desire them to have the gaol made as comfortable as circumstances will admit for the accommodation of prisoners

Congress resumed the consideration of the article of confederation respecting the powers of Congress; whereupon

It was moved to strike out "coining money and regulating the value thereof" and insert "regulating the alloy and value of coin struck by their own authority or by that of the respective states:" and the question being put,

*Resolved* in the affirmative

*Resolved*, That the farther consideration of the articles of confederation be postponed to Monday next.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

MONDAY,

MONDAY, *October 27, 1777.*

The committee appointed to consider the letter from the honorable Stephen Hopkins and the proceedings of the committees from New-Hampshire, Massachusetts Bay, Rhode-Island and Providence Plantations, Connecticut and New-York, and for other purposes mentioned in a resolution of Congress of the 10th September last, brought in a report which was read :

*Ordered*, to lie on the table.

A letter of the 24th from general Washington, inclosing the copy of a letter of the 23d from commodore Hazlewood ; one from Samuel Ward, and one from Robert Ballard, both of the same date, at Red-Bank ; were read :

*Ordered*, That the same be referred to the committee of intelligence.

Congress resumed the consideration of the article of confederation respecting the powers of Congress ; whereupon it was moved to strike out these words “ deciding all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundaries, jurisdictions or any other cause whatever,” and instead thereof to insert “ the United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction, or any other cause whatever ; which authority shall always be exercised in the manner following ; whenever the legislative or executive authority, or lawful agent of any state in controversy with another, shall present a petition to Congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question ; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen ; and from that number not less than seven nor more than nine names, as Congress shall direct, shall in the presence of Congress be drawn out by lot ; and the

persons

persons, whose names shall be so drawn or any five of them shall be commissioners or judges to hear and finally determine the controversy ; so always as a major part of the judges who shall hear the cause shall agree in the determination :

And if either party shall neglect to attend at the day appointed without shewing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the secretary of Congress shall do it in behalf of such party, and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive ; and if any of the parties shall refuse to submit to the authority of such court or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress and lodged among the acts of Congress for the security of the parties concerned, provided that every commissioner before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, well and truly to hear and determine the matter in question according to the best of his judgment, without favour, affection or hope of reward ; provided also that no state shall be deprived of territory for the benefit of the United States."

New Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. J. Adams,	ay		
	Mr. Gerry,	ay		
	Mr. Marchant,	ay		
Rhode-Island,	Mr. Dyer.		}	no
	Mr. Law,	no		
	Mr. Williams,			
Connecticut,	Mr. Duane,	ay	}	ay
	Mr. Duer,	ay		
New-York,	Mr. Wither Spoon,	no	}	divided
	M. Elmer,	ay		
New Jersey,	Mr. Roberdeau,	ay	}	ay
	Mr. Jones,	ay		
	Mr. R. H. Lee,	ay		
	Mr. F. L. Lee,	ay		
	Mr. Harvie,	ay		
Pennsylvania,				
Virginia,				

North Carolina,	Mr. Penn.	ay	} ay
	Mr. Harnett,	ay	
South Carolina,	Mr. Heyward,	ay	} divided.
	Mr. Laurens,	no	

So it was resolved in the affirmative.

*Four o'Clock, P. M.*

Congress resumed the consideration of the article of confederation last under debate.

A motion was made to strike out the words "not members of any of the states," and instead thereof to insert "not residing within the limits of any of the United States:" another motion was made to amend the clause so as to read thus, "managing all affairs relative to war and peace with all Indians not members of any particular state, and regulating the trade with such nations and tribes as are not resident within such limits wherein a particular state claims, and actually exercises jurisdiction:" after debate

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

*TUESDAY, October 28, 1777.*

Congress resumed the consideration of the articles of confederation, and after debating on the amendments moved yesterday, adjourned to four o'clock.

*Four o'Clock, P. M.*

The committee on the treasury brought in a report; whereupon

*Ordered*, That a warrant issue on the treasurer in favour of Robert Jewell, for maintaining prisoners in Philadelphia new gaol from the 19th of August to the 24th of September, for the salary due to him and his two assistants, for mending a pump, for candles, &c. 933 37-90 dollars.

A petition from Henry Watts and a memorial from chevalier Dorset were read:

*Ordered*. That the former be referred to the board of war, and the latter to the committee on foreign applications.

Congress resumed the consideration of the articles of confederation, and instead of the two amendments proposed, it was moved to add to the clause these words, "provided that the legislative right of any state within its own limits be not infringed or violated; and the question being put,

Resolved in the affirmative.

The



The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

WEDNESDAY, October 29, 1777.

A petition from monsieur le Brun was read, praying "that the president would grant him a certificate to verify the death of the late monsieur Charles Tronson du Coudray, brigadier colonel, and adjutant general of artillery in France born in Rheims in the province of Champagne, which happened the 13th day of September 1777, and representing that such a certificate is necessary for his family, and that he would wish to have it triple in order to send it to his brother by different ways."

*Ordered*, That the prayer of the petition be granted.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to; instead of "general officers" to read "all officers:" after "United States" to add "excepting regimental officers," "and commissioning all officers whatever."

Mr. president Hancock then took leave of Congress.

*Four o'clock, P. M.*

*Resolved*, That the secretary officiate as president until a new choice is made.

On motion ordered, that the secretary wait on the president and request him to furnish the house with a copy of the speech with which he took leave of Congress.

Congress resumed the consideration of the articles of confederation, and after some time spent thereon,

Adjourned to ten o'clock to-morrow.

THURSDAY, October 30, 1777.

The committee on the treasury brought in a report; whereupon

*Ordered*, That there be advanced to Stevens Thompson Mason, esquire, deputy commissary for the prisoners of war in Virginia, 2000 dollars for the maintenance of the said prisoners, and for which he is to be accountable; and that a copy of this order, signed by the secretary be a sufficient voucher to the treasurer to pay this sum.

The board of war brought in a report; whereupon

*Resolved*, That the government of the state of Connecticut be requested to permit the workmen at Salisbury iron works to cast mortars for continental use, of such calibres and in such numbers as shall be directed by brigadier general Knox, and that

that he be informed of this resolution and desired to write to governor Trumbull on the subject.

That a letter be written by the board of war to the government of the state of New-York representing in the strongest terms the great want of lead and the absolute necessity there is for providing seasonable resources of that article; that it be therefore earnestly recommended to the said government forthwith to take measures for having the lead mines in that state worked, and that in case a sufficient number of labourers cannot be procured for that purpose, the commissary general of prisoners be directed to furnish a competent number of prisoners of war for that end.

*Resolved*, That William Feltman, second lieutenant in captain Weaver's independent company, be advanced to the rank of first lieutenant.

That ensign Bachinstone be promoted to the rank of second lieutenant.

That Joseph Bank be appointed an ensign in the said company.

Congress resumed the consideration of the articles of confederation, when the following amendments were moved and agreed to, viz. strike out "council of state, &c." and read, "The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated *A Committee of the States*, and to consist of one delegate from each state, and to appoint such other committees, &c.

In the next clause strike out "and a suitable person for a secretary," and read "to appoint one of their number to preside."

To change the words "agree on and fix" for the word "ascertain," and to amend the clause to read thus, "to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expences."

On the clause for adjournment to add, "so that no period of adjournment be for a longer duration than the space of six months."

In the clause for borrowing or emitting money to add "transmitting every half year to the respective states an account of the sums of money so borrowed or emitted."

To amend the clause for calling upon the states for their quota of troops, so that each state may "cloath" as well as arm, &c. its quota of troops:

It

It was then moved after the words "unless nine states shall assent to the same," to insert "provided that the nine states so assenting shall comprehend a majority of the people of the United States, excluding Negroes and Indians, for which purpose a true account of the number of free people in each state shall be triennially taken and transmitted to the Assembly of the United States."

New-Hampshire,	Mr. Folsom,	no	}	no
Massachusetts-Bay,	Mr. S. Adams,	ay		
	Mr. J. Adams,	no	}	no
	Mr. Gerry,	no		
	Mr. Lovell,	no		
Rhode-Island,	Mr. Marchant,	no	}	no
Connecticut,	Mr. Dyer,	no		
	Mr. Law,	no	}	no
	Mr. Williams,	no		
New-York,	Mr. Duane,	no	}	no
	Mr. Duer,	no		
New-Jersey,	Mr. Witherspoon,	no	}	no
	Mr. Elmer,	no		
Pennsylvania,	Mr. Roberdeau,	no	}	no
Maryland	Mr. Smith,	ay		
Virginia,	Mr. Jones,	ay	}	ay
	Mr. R. H. Lee,	ay		
	Mr. F. L. Lee,	ay		
	Mr. Harvie,	ay	}	no
North-Carolina,	Mr. Penn,	no		
	Mr. Harnett,	no	}	no
South-Carolina	Mr. Heyward,	no		
	Mr. Laurens,	no	}	no

So it passed in the negative.

It was moved and agreed to amend the clause "no person holding any office under the United States, for which he or another for his benefit receives any salary, fees or emolument of any kind, shall be capable of being a delegate," and read "no person being a delegate shall be capable of holding any office under the United States, for which he or any other for his benefit receives any salary, fees or emolument of any kind."

On the clause for entering the yeas and nays it was moved after the words "on any question" to insert "except on a previous question," and instead of "when it is desired by any delegate," to read "when it is desired by any state:" and a question being severally put,

Passed in the negative.

The

The question was then put to agree to the clause.

New-Hampshire,	Mr. Folsom,	ay		ay
Massachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. J. Adams,	ay		
	Mr. Gerry,	ay		
	Mr. Lovell,	ay		
Rhode-Island,	Mr. Marchant,	no	}	no
Connecticut,	Mr. Dyer,			
New York,	Mr. Law,	ay	}	ay
	Mr. Williams,			
	Mr. Duane,	ay		
	Mr. Duer,	ay		
New Jersey,	Mr. Witherspoon,	ay	}	ay
	Mr. Elmer,	ay		
Pennsylvania,	Mr. Roberdeau,	ay	}	ay
Maryland,	Mr. Smith,	ay		
Virginia,	Mr. Jones,	ay	}	ay
	Mr. R. H. Lee,	ay		
	Mr. F. L. Lee,	no		
	Mr. Harvie,	ay		
North-Carolina,	Mr. Penn,	ay	}	ay
	Mr. Harnett,	ay		
South-Carolina,	Mr. Heyward,	ay	}	divided
	Mr. Laurens,	no		

So it was resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, October 31, 1777.

A letter of the 18th from General Gates, with a copy of the convention of Saratoga, and another of the 20th inclosing the copy of a letter from him to major general J. Vaughan, were read.

*Ordered*, That the letters from general Gates, with the papers enclosed, be referred to the board of war, and that the committee of intelligence publish the convention.

*Resolved*, That a committee of three be appointed to prepare a recommendation to the several states, to set apart a day for thanksgiving for the signal success lately obtained over the enemies of these United States.

The members chosen, Mr. S. Adams, Mr. R. H. Lee, and Mr. Roberdeau.

A letter from R. Towers to Mr. Roberdeau was laid before Congress and read.

*Ordered*,



*Ordered*, That it be referred to the board of war.

*Ordered*, That colonel Wilkinson, who brought the dispatches from general Gates, be directed to attend Congress.

Colonel Wilkinson attending was admitted, and having informed Congress that he had sundry papers to lay before Congress as soon as he could have time to digest and arrange them, and having answered sundry questions relative to the situation of our army and that of the enemy before and at the time of and since the convention, he withdrew.

*Ordered*, That an express be immediately dispatched to general Washington, with a copy of general Gates's letter and the convention of Saratoga.

*Four oclock, P. M.*

The committee on the treasury brought in a report ; whereupon

*Ordered*, That there be paid to William Buchanan, esquire, commissary general of purchases, 100,000 dollars for the use of his department, and for which he is to be accountable ; and that a copy of this order, certified by the secretary and passed at the board of treasury, be a sufficient voucher for the payment of the said money.

The secretary laid before Congress a copy of the speech with which Mr. Hancock took leave of Congress, which was ordered to be entered on the journals and is as follows :

‘ Gentlemen, Friday last completed two years and five months since you did me the honor of electing me to fill this chair. As I could never flatter myself your choice proceeded from any idea of my abilities but rather from a partial opinion of my attachment to the liberties of America, I felt myself under the strongest obligations to discharge the duties of the office, and I accepted the appointment with the firmest resolution to go through the business annexed to it in the best manner I was able. Every argument conspired to make me exert myself, and I endeavoured by industry and attention to make up for every other deficiency.

‘ As to my conduct both in and out of Congress in the execution of your business, it is improper for me to say any thing. You are the best judges. But I think I shall be forgiven if I say I have spared no pains, expence, or labour to gratify your wishes, and to accomplish the views of Congress.

‘ My health being much impaired, I find some relaxation absolutely necessary after such constant application ; I must therefore request your indulgence for leave of absence for two months,

But

‘ But I cannot take my departure, gentlemen without expressing my thanks for the civility and politeness I have experienced from you. It is impossible to mention this without a heart felt pleasure.

‘ If in the course of so long a period as I have had the honor to fill this chair, any expressions may have dropped from me that may have given the least offence to any member, as it was not intentional, so I hope his candor will pass it over.

‘ May every happiness, gentlemen, attend you, both as members of this house and as individuals; and I pray Heaven that unanimity and perseverance may go hand in hand in this house; and that every thing which may tend to distract or divide your councils be for ever banished.’

It was then moved, “ That the thanks of Congress be presented to John Hancock, esquire, for the unremitting attention and steady impartiality which he has manifested in discharge of the various duties of his office as president since his election to the chair on the 24th day of May 1775.”

Previous to the determination of this motion, it was moved, ‘ to resolve as the opinion of Congress, that it is improper to thank any president for the discharge of the duties of that office.”

New Hampshire,	Mr. Folsom,	ay	ay
Massachusetts Bay,	Mr. S. Adams,	ay	} ay
	Mr. J. Adams,	ay	
	Mr. Gerry,	ay	
	Mr. Lovell,	ay	
Rhode Island,	Mr. Marchant,	ay	ay
Connecticut,	Mr. Dyer,	no	} no
	Mr. Law,	no	
	Mr. Williams,	no	
New York,	Mr. Duane,	no	} no
	Mr. Duer,	no	
New-Jersey,	Mr. Elmer,		
Pennsylvania,	Mr. Roberdeau,	ay	ay
Maryland,	Mr. Smith,	no	*
Virginia,	Mr. Jones,	no	} no
	Mr. R. H. Lee,	ay	
	Mr. F. L. Lee,	no	
	Mr. Harvie,	no	
North-Carolina,	Mr. Penn,	no	} no
	Mr. Harnett,	no	
South-Carolina,	Mr. Heyward,	no	} divided
	Mr. Laurens,	ay	

So the states were equally divided.

The

The question being put on the first motion,—

New-Hampshire,	Mr. Folsom,	no	no
Massachusetts-Bay,	Mr. S. Adams,	no	no
	Mr. J. Adams,	no	
	Mr. Gerry,	no	
	Mr. Lovell,	no	
Rhode Island,	Mr. Marchant,	no	no
Connecticut,	Mr. Dyer,	ay	ay
	Mr. Law,	ay	
	Mr. Williams,	ay	
New York,	Mr. Duane,	ay	ay
	Mr. Duér,	ay	
New Jersey,	Mr. Elmer,	ay	ay
Pennsylvania,	Mr. Roberdeau,	no	no
Maryland,	Mr. Smith,	ay	*
Virginia,	Mr. Jones,	ay	ay
	Mr. R. H. Lee,	no	
	Mr. F. L. Lee,	ay	
	Mr. Harvie,	ay	
North-Carolina,	Mr. Penn,	ay	ay
	Mr. Harnett,	ay	
South-Carolina,	Mr. Heyward,	ay	ay
	Mr. Laurens,	ay	

So it was resolved in the affirmative.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, November 1, 1777.

Mr. Clingan, a delegate from Pennsylvania, attended and took his seat.

Congress proceeded to the election of a president; and the ballots being taken,

The honorable Henry Laurens was elected.

The committee appointed to prepare a recommendation to the several states to set apart a day of public thanksgiving, brought in a report; which was taken into consideration and agreed to, as follows:

Forasmuch as it is the indispensable duty of all men to adore the superintending providence of almighty God; to acknowledge with gratitude their obligation to him for benefits received, and to implore such farther blessings as they stand in need of; and it having pleased him in his abundant mercy not only to continue to us the innumerable bounties of his common providence, but also smile upon us in the prosecution of a just and necessary war, for the defence and establishment of our

unalienable rights and liberties : particularly in that he hath been pleased in so great a measure to prosper the means used for the support of our troops and to crown our arms with most signal success : it is therefore recommended to the legislative or executive powers of these United States to set apart Thursday the 18th day of December next for solemn thanksgiving and praise ; that with one heart and one voice the good people may express the grateful feelings of their hearts, and consecrate themselves to the service of their divine benefactor ; and that together with their sincere acknowledgments and offerings, they may join the penitent confession of their manifold sins, whereby they had forfeited every favor ; and their humble and earnest supplication that it may please God through the merits of Jesus Christ, mercifully to forgive and blot them out of remembrance ; that it may please him graciously to afford his blessings on the governments of these states respectively, and prosper the public council of the whole ; to inspire our commanders both by land and sea and all under them with that wisdom and fortitude which may render them fit instruments, under the providence of almighty God, to secure for these United States the greatest of all blessings, independence and peace ; that it may please him to prosper the trade and manufactures of the people and the labor of the husbandman, that our land may yield its increase ; to take schools and seminaries of education, so necessary for cultivating the principles of true liberty, virtue, and piety, under his nurturing hand, and to prosper the means of religion for the promotion and enlargement of that kingdom which consisteth in righteousness, peace and joy in the Holy Ghost.

And it is further recommended that servile labour and such recreation as, though at other times innocent, may be unbecoming the purpose of this appointment, be omitted on so solemn an occasion.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, November 3, 1777.

A letter of the 24th of October from R. Bache ; one of the 20th of the same month from governor Trumbull, inclosing a resolution passed in the house of assembly of Connecticut the 11th of the same month ; one of the 25th from general Sullivan, with sundry papers inclosed were read :

*Ordered*, That the president return an answer to major general Sullivan, and inclose him a copy of the resolution passed the 20th of October last : That



That the letter from governor Trumbull, with the papers inclosed, be referred to the committee appointed to confer with the commissary general of purchases, and that they be directed to confer farther with him on the subject and report this afternoon :

That the letter from Mr. Bache be referred to the board of treasury.

*Ordered,* That colonel Wilkinson be admitted to lay before Congress this afternoon the papers relative to the affairs in the Northern department.

*Four o'Clock, P. M.*

According to order colonel Wilkinson attended and delivered a message from General Gates in the following words :

" I have it in charge from major general Gates to represent to the honorable the Congress, that lieutenant general Burgoyne at the time he capitulated was strongly entrenched on a formidable post with twelve days provision ; that the reduction of fort Montgomery and the enemy's consequent progress up the Hudson's river endangered our arsenal at Albany, a reflection which left general Gates no time to contest the capitulation with lieutenant general Burgoyne, but induced the necessity of immediately closing with his proposals, hazarding a disadvantageous attack or retiring from his position for the security of our magazine : this delicate situation abridged our conquests, and procured lieutenant general Burgoyne the terms he enjoys. Had our attack been carried against lieutenant general Burgoyne, the dismemberment of our army must necessarily have been such as would have incapacitated it from further action. With an army in health, vigour and spirits, major general Gates now waits the commands of the honorable Congress."

Colonel Wilkinson then laid before Congress fundry original papers relative to the convention, which were read, viz.

1. A message from lieutenant general Burgoyne to major general Gates, with general Gates's answer of the 13th of October 1777 :
2. A message from lieutenant general Burgoyne to major general Gates the 14th of October :
3. Another message accompanying the former :
4. General Gates's proposals to lieutenant general Burgoyne, with general Burgoyne's answer :
5. A message from lieutenant general Burgoyne to general Gates :

6. General

6. General Burgoyne's proposals and general Gates's answer :
7. Message from general Burgoyne to general Gates October the 15th :
8. Another message from general Burgoyne to general Gates October the 16th :
9. Message from general Gates to general Burgoyne :
10. Return of general Burgoyne's army which surrendered :
11. Return of ordnance, &c. taken and surrendered :
12. Articles of convention.
13. General Gates's explanation to include general Burgoyne in the convention :

After which colonel Wilkinson withdrew.

The committee to whom was referred the letter from governor Trumbull, with the inclosed resolution of the general assembly of Connecticut, brought in a report, which was read and considered ; whereupon

*Resolved*, That a copy of the resolutions of Congress of the 4th of October last, relative to the department of the purchasing and issuing commissaries, be forthwith transmitted by express to the governor and council of safety of Connecticut, who are authorized and requested to appoint a deputy commissary general of purchases and a deputy commissary general of issues for the Eastern district, provided the appointments of Congress to the respective offices aforesaid are not accepted, and general Putnam has not made such appointments, agreeable to the powers given him by the resolution last mentioned, or that the officers so appointed should appear to the said governor and council incompetent to the business :

That a copy of the preceding resolution be transmitted by the express aforesaid to major general Putnam, who is directed to inform his excellency governor Trumbull of his conduct relative to the premises, and to direct the officers who may have accepted the appointments aforesaid forthwith to apply to the governor and council of safety for instructions, and that general Putnam cease to proceed further in the business aforesaid :

That a duplicate warrant for 200,000 dollars on the loan-office in the state of New-York be issued by the president in favor of William Buchanan, esquire, commissary general of purchases, to serve, in case a warrant of the 10th October last, drawn for the same sum in favor of him on loan-office aforesaid, by the honorable John Hancock esquire, late president of Congress, in pursuance of a resolve of

of Congress of the said 10th day of October, should have miscarried; and that the commissary general of purchases be directed to transmit the same to the governor and council of Connecticut for the deputy commissary general of purchases of the eastern district:

That the governor and council aforesaid be requested to afford such assistance to the officers in the purchasing and issuing departments of the eastern district as shall be requisite for obtaining the necessary supplies of provisions for the army and furnishing them therewith, and that they be farther requested to advance such supplies of money as may be immediately wanted by the deputy commissary general of purchases aforesaid and take his order for the same on the commissary general of purchases.

A motion being made for directing the future operations of general Gates.

*Ordered*, That it be referred to a committee of three.

The members chosen, Mr. R. H. Lee, Mr. J. Adams, and Mr. Gerry.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, November 4, 1777.

The marine committee brought in a report, which was read:

*Ordered*, That it be referred to the board of treasury.

The committee on the treasury brought in a report, whereupon

*Ordered*, That a warrant issue in favour of Thomas White for five hundred dollars, in discharge of the following draughts of John Ashe, treasurer of North-Carolina, on the continental treasurer, in favour of the said T. White, expressed to be for the service of the United States, for which the said state is to be accountable, and which is to be considered as part of the 500,000 dollars heretofore appropriated for the use of the said state, viz. one dated the 9th of May for 100 dollars, one dated the 10th of May for 100 dollars, and one dated the 11th of May for 300 dollars.

*Ordered*, That a warrant issue in favour of Robert Morris, esquire, for 1222 30-90 dollars, being for the payment of ninety-five barrels of powder and one hundred muskets purchased of him by the order of the board of war and ordnance.

That



That a warrant issue in favour of R. Bache, esquire, postmaster general, to be paid to James Bryson, one of the surveyors of the post office, for 3000 dollars, for the use of the postmaster general's department, who is to be accountable.

That a warrant issue for 200 dollars in favour of colonel Josias Caryll Hall, to be paid to captain John Sulman, of his regiment, for the use of a party under his command, the said colonel Hall to be accountable.

A letter of the 25th of October from colonel Sheldon, with sundry papers inclosed, was read:

*Ordered,* That the same be referred to the board of war.

*Resolved,* That his excellency governor Caswell of North-Carolina, be requested to erect a monument of the value of five hundred dollars, at the expence of the United States, in honor of the memory of brigadier general Francis Nash, who fell in the battle of Germantown on the 4th of October 1777, bravely contending for the independence of his country.

*Resolved,* That the thanks of Congress in their own name, and in behalf of the inhabitants of the thirteen United States, be presented to major general Gates, commander in chief in the Northern department, and to majors general Lincoln and Arnold and the rest of the officers and troops under his command, for their brave and successful efforts in support of the independence of their country, whereby an army of the enemy of ten thousand men has been totally defeated, one large detachment of it, strongly posted and entrenched, having been conquered at Bennington, another repulsed with loss and disgrace from fort Schuyler, and the main army of six thousand men, under lieutenant general Burgoyne, after being beaten in different actions and driven from a formidable post and strong intrenchments, reduced to the necessity of surrendering themselves upon terms honorable and advantageous to these states on the 17th day of October last, to major general Gates; and that a medal of gold be struck under the direction of the board of war in commemoration of this great event, and in the name of these United States presented by the president to major general Gates.

*Resolved,* That Congress have an high sense of the me-



rit of colonel Green and the officers and men under his command in their late gallant defence of the fort at Red Bank on Delaware river; and that an elegant sword be provided by the board of war and presented to colonel Green.

*Resolved*, That Congress have an high sense of the merit of lieutenant colonel Smith and the officers and men under his command, in their late gallant defence of fort Mifflin on the river Delaware; and that an elegant sword be provided by the board of war and presented to lieutenant colonel Smith.

*Resolved*, That Congress have an high sense of the merit of commodore Hazlewood, commander of the naval force in Delaware river, in the service of the commonwealth of Pennsylvania, and of the officers and men under his command, in their late gallant defence of their country against the British fleet, whereby two of their men of war were destroyed and four others compelled to retire; and that an elegant sword be provided by the marine committee and presented to commodore Hazlewood.

*Four o'Clock, P. M.*

The proceedings of a general court martial, held at German Flats on the 20th of August 1777, by order of major general Arnold, on the trial of Walter Butler, an ensign in the King's or 8th regiment, being transmitted to Congress;

*Ordered*, That it be referred to the board of war.

The committee to whom was referred the motion for directing the future operations of the army under the command of major general Gates, brought in a report, which was taken into consideration, and after debate.

*Resolved*, That it be re-committed, and that Mr. Duer be added to the committee.

A letter of the 3d from the president of the council of Pennsylvania was read:

*Ordered*, That it be referred to the board of war.

The marine committee reported, "That they have received a letter from the navy board at Bordenton, dated the 27th of October last, informing them of orders given by general Washington to scuttle the frigates in the river Delaware in order to prevent their falling into the hands of the enemy; and that having taken the same into consideration they are of opinion that the frigates should be lightened

ened as much as possible, and either run into some adjacent creek or hauled as high upon shore as may be without ballast, and a battery constructed with the guns of the Washington on the most convenient ground to cover the frigates from the enemy; that the frigates should be charged properly with combustibles, and a careful watch employed under a vigilant officer to burn them rather than suffer them to fall into the hands of the enemy; and lest this should fail, that a sufficient number of small craft should be sunk in the channel below the frigates, effectually to obstruct the enemy from moving them down the river if they should happen to gain possession of them; and a battery be constructed in the most convenient manner to cover the obstructions and prevent the enemy from removing them; that all the vessels, of whatever kind, should be run up as high above the batteries and obstructions aforesaid as possible, and the most effectual precautions taken immediately on the approach of the enemy: whereupon

*Ordered*, That a copy of the said report be sent to general Washington for his approbation, and if he approve the same that a detachment of troops be sent to assist in constructing and managing the batteries aforesaid.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

W E D N E S D A Y, November 5, 1777.

A letter from mons. de la Balme was read:

*Ordered*, That it be referred to the board of treasury.

The board of war brought in a report, which was read:

*Ordered*, That the consideration thereof be postponed:

The committee to whom was re-committed the report for directing the future operations of the army under the command of general Gates, brought in a report, which was taken into consideration, and thereupon

*Resolved*, That general Washington be informed that it is the earnest wish of Congress to regain the possession of the forts and passes of Hudson's river, and to secure the communication thereof; and for that purpose, that general Gates should remain in command in that quarter; and that general Putnam be called upon to join the main army with such a detachment from the army under the command of general Gates as general Washington may think can be spared, not exceeding the number of 2500 men including colonel Morgan's corps

That

That a copy of the foregoing resolution be sent to general Gates. and that he be directed to make a proper disposition of the army under his command for reducing forthwith the posts of the enemy on Hudson's river, and that he order such of the continental troops and militia in the service of the United States as are posted on or near the said river to join him for the service aforementioned :

That general Gates be impowered to apply to the respective states of Massachusetts-Bay, Connecticut New-York and New-Jersey, for such a number of their militia as he shall judge necessary to maintain the posts which he shall order to be taken on the said river, to the end that his army may be in readiness to pursue such operations as Congress shall direct ; and that the said militia be enlisted to serve until the 15th day of March next unless sooner discharged by Congress or the commander in chief :

That general Washington be directed to order one or more able engineers to Hudson's river, to attend the army under the command of general Gates :

That general Gates be impowered to order such a number of gallies, gun boats, fire-rafts, chains, cassoons, and chevaux de frize to be provided, and such fortifications to be erected, for obstructing and keeping possession of the North-river, as he shall judge necessary :

That the governor and council of the state of New-York be furnished with a copy of these resolutions, and requested to appoint a committee of three active judicious persons to assist general Gates in obtaining such artificers and materials for accomplishing these purposes as he shall direct ; and the said-committee are impowered to apply to the several states of New-Hampshire, Massachusetts-Bay, Rhode Island. Connecticut, New-York and New-Jersey, for their assistance, who are requested to afford the same by furnishing the said committee with such artificers and materials as they by direction of general Gates shall apply for ; and the said states are respectively requested to furnish such a number of men as general Gates shall require to accomplish the important and salutary purpose of maintaining the communication between the Northern and Southern states by keeping possession of Hudson's river :

That general Gates be authorised and directed to apply to the state of New-York and the states eastward of the North river for such aids as he shall judge necessary for the reduction

of Ticonderoga and fort Independence, if not reduced by general Starks, at such time as he shall deem best adapted for that expedition) and that the said states be requested to supply general Gates with such a number of their militia as he shall judge necessary for the purposes intended :

That general Gates be directed to take effectual care that the fortifications which shall be erected on Hudson's river be not too extensive, and that each be compleated with a well, magazines, barracks, bomb casements, &c. sufficient for a determined defence :

That if general Washington, after consulting with general Gates and governor Clinton, shall be of opinion that a reinforcement exceeding the number above mentioned can be detached to the main army consistent with the attainment of the objects specified in the preceding resolutions, in such case he be directed to order such further reinforcements to the main army as may be thought conducive to the general welfare, any thing in the preceding resolutions to the contrary notwithstanding.

In debating the last resolution it was moved after " directed" to insert " with their concurrence,"

New Hampshire,	Mr. Folsom,	no	}	no
Massachusetts-Bay,	Mr. S. Adams,	ay		
	Mr. J. Adams,	ay	}	ay
	Mr. Gerry,	ay		
	Mr. Lovell,	no	}	
Rhode-Island,	Mr. Marchant,	ay		ay
Connecticut,	Mr. Dyer,	ay	}	
	Mr. Law,	no		no
	Mr. Williams,	no	}	
New-York,	Mr. Duane,	no		no
	Mr. Duer,	no	}	
New Jersey,	Mr. Elmer,	no		no
Pennsylvania;	Mr. Morris,	no	}	
	Mr. Roberdeau,	no		no
	Mr. Clingan,	no	}	
Maryland	Mr. Smith,	no		no
	Mr. Rumsey,	no	}	
Virginia,	Mr. Jones,	no		no
	Mr. F. L. Lee,	no	}	
	Mr. Harvie,	no		no
North-Carolina,	Mr. Penn,	no	}	
	Mr. Harnett,	no		no
South-Carolina	Mr. Laurens,	no	}	
				no



So it passed in the negative.

The yeas and nays being required on the resolution,

New-Hampshire,	Mr. Folsom,	ay	ay
Massachusetts-Bay,	Mr. S. Adams,	no	} <i>divided.</i>
	Mr. J. Adams,	ay	
	Mr. Gerry,	no	
	Mr. Lovell,	ay	
Rhode-Island,	Mr. Marchant,	no	} <i>no</i>
Connecticut,	Mr. Dyer,	no	
	Mr. Law,	ay	} <i>ay</i>
	Mr. Williams,	ay	
New York,	Mr. Duane,	ay	} <i>ay</i>
	Mr. Duer,	ay	
New Jersey,	Mr. Elmer,	ay	} <i>ay</i>
Pennsylvania,	Mr. Morris,	ay	
	Mr. Roberdeau,	no	} <i>ay</i>
	Mr. Clingan,	ay	
Maryland,	Mr. Smith,	ay	} <i>ay</i>
	Mr. Rumsey,	ay	
Virginia,	Mr. Jones,	ay	} <i>ay</i>
	Mr. F. L. Lee,	ay	
	Mr. Harvie,	ay	} <i>ay</i>
North-Carolina,	Mr. Penn,	ay	
	Mr. Harnett,	ay	} <i>ay</i>
South Carolina,	Mr. Laurens,	ay	

So it was resolved in the affirmative.

The board of treasury brought in a report, whereupon

*Ordered,* That there be paid to John Conner, late a sifer in the invalid regiment, 14 60-90 dollars, for two months pay due to him before his being discharged, as per colonel Lewis Nicola's certificate, the said sum to be charged to the colonel:

That a warrant issue on the treasurer in favor of W. Buchanan, esquire, commissary general of purchases, for 52,000 dollars, for the use of his department, he to be accountable.

That a warrant issue on the treasurer in favor of Belcher P. Smith, for 205 48 90 dollars, being for his services as a clerk in the secretary's office from the 1st of July to the 5th of November, and for sundry contingent expences:

That a warrant issue on Joseph Borden, esquire, commissioner of the continental loan-office in the state of New-Jersey, in favor of the continental navy board, for

40,000

40000 dollars, for the use of the navy department, the said board to be accountable,

That a warrant issue in favour of the delegates of North-Carolina for the use of that state, for 1000 dollars, it being advanced on the application of C. Harnett, esquire, the said state to be accountable, and the money to be considered as part of the 500,000 dollars appropriated for the use of that state :

That a warrant issue in favour of Abraham Clark, esquire, to be delivered to Mr. Elmer, for 205 30-90 dollars, it being the amount of eleven barrels of pork he paid for in New-Jersey, which were delivered to captain Francis Wade, who was directed to purchase provisions in that state, the said F. Wade to be accountable.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

T H U R S D A Y, *November 6, 1777.*

A letter of the 1st, continued to the 3d, from general Washington, with sundry papers inclosed, was read :

*Ordered,* That the recommendation in favour of mons. de Vriguy, being one of the papers inclosed in the general's letter, be referred to the committee on foreign applications :

That the general's letter, with the other papers inclosed, be referred to the board of war.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved,* That colonel James Wilkinson, adjutant general in the Northern army, in consideration of his services in that department, and being strongly recommended by general Gates as a gallant officer and a promising military genius, and having brought the dispatches to Congress, giving an account of the surrender of lieutenant general Burgoyne and his army on the 17th day of October last, be continued in his present employment, with a brevet of brigadier general in the army of the United States.

*Resolved,* That the unremitted attention shewn by doctor Potts and the officers of the general hospital in the Northern department, as represented in general Gates's letter to Congress of the 20th of October, to the sick and wounded under their care, is a proof not only of their humanity but of their zeal for the service of the United States,

States, so deeply interested in the preservation of the health and lives of the gallant asserters of their country's cause; and that Congress therefore cannot but entertain a high sense of the services which they have rendered during this campaign by a diligent discharge of their respective functions.

Congress took into consideration a report of the board of war of July the 2<sup>d</sup> and after some debate thereon

*Ordered*, That it be re-committed.

Congress being informed that the commissary general of issues has not assigned districts to his several deputies, agreeably to the regulations of his department,

*Resolved*, That the said commissary general of issues be directed to make forthwith such assignments, and communicate the same to the governor and council of the state of Connecticut, and his respective deputies.

A motion being made respecting the convention of Saratoga,

*Ordered*, That it be referred to a committee of four;

The members chosen Mr. J. Adams, Mr. Duane, Mr. Jones and Mr. R. H. Lee.

*Four o'Clock, P. M.*

A letter of the 25<sup>th</sup> of October from the council of Massachusetts-Bay, and one of the same date from general Heath, were read:

*Ordered*, That the letter from general Heath be referred to the committee on the motion respecting the convention of Saratoga, and that the letter from the council of Massachusetts-Bay be referred to the board of war.

The committee on the treasury brought in a report, which was read:

*Ordered*, That it be re-committed.

Congress took into consideration the report of the board of war brought in yesterday; whereupon

*Resolved*, That general Washington be directed immediately to settle the relative ranks of the officers of the cavalry, and to issue their commissions accordingly, and that he be furnished with copies of the several resolutions of Congress on that subject.

*Ordered*, That the articles of confederation be taken into consideration to morrow.

The committee on the treasury brought in a report where upon

*Ordered*,

*Ordered,* That there be advanced to captain James O'Harra 2000 dollars agreeable to the request of the board of war, for the purchase of shoes, hats and blankets for the use of the independent companies at fort Pitt, under the command of brigadier general Hand, who is to be charged with the money advanced :

That a warrant issue in favour of colonel William Beatty, for the use of a battalion of militia under his command from Frederick county, Maryland, for 1000 dollars, the said colonel Beatty to be accountable :

That there be paid to Jacob Gotwalt and Simon Keepenhoe, 60 72 90 dollars, for their expences as an escort to British prisoners from Yorktown to Brunswick in New-Jersey by direction of the board of war last winter

That there be paid to Jacob Rush esquire, 40 dollars, which he advanced by direction of Mr. Hancock to Lavelin Barry, a continental express rider, the said L. Barry to be charged with the said sum.

That there be advanced to adjutant Thomas Taylor of the Georgia battalion commanded by colonel J. White, 200 dollars, to enable him to bring in deserters of the said regiment, the said sum to be charged to the state of Georgia and to be considered as a part of the 300,000 dollars appropriated for the use of that state.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, November 7, 1777.

*Ordered,* That a duplicate of the recommendation to the several states to set apart a day of thanksgiving, signed by the president be sent to the several states, and to general Washington and general Gates.

Congress resumed the consideration of the report of the board of treasury ; whereupon

*Resolved,* That one million of dollars be emitted under the direction of the treasury board and on the faith of the United States.

That the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 15th of August last, and be numbered from the last number of each respective denomination, viz.

15384 bills of the denomination of 3 dollars,	46152
15384 ditto " " " 4 ditto,	61536

15384



15384 ditto	-	-	5 ditto,	76920
15384 ditto	-	-	6 ditto,	92304
15384 ditto	-	-	7 ditto,	107688
15385 ditto	-	-	2 ditto,	30770
15385 ditto	-	-	8 ditto,	23080
15385 ditto	-	-	30 ditto,	461550

1000000

That all powers and duties of Michael Hillgas, esquire, and of the inspectors of the press signers and printers of the said emission, directed on August the 5th shall extend to the said one million to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

Whereas major general Mifflin, by his letter of October the 8th last has requested leave to resign his commission of major general and office of quartermaster general in the army, on account of his ill state of health :

*Resolved*, That his resignation of the office of quartermaster general be accepted, but that his rank and commission of major general be continued to him, without the pay annexed to that office, until farther order of Congress.

Congress proceeded to the election of a board of war, and the ballots being taken

Major general Mifflin, colonel Timothy Pickering, and colonel Robert H. Harrison were elected

*Ordered*, That the president inform the several gentlemen of their appointment, and desire their attendance with all convenient dispatch

A memorial from John Richards in behalf of himself, James Taylor and company, and Hall and Horner, was laid before Congress and read.

Congress being informed that Mr. Houston has declined the office of deputy secretary on account of his being elected a member of assembly for the state of New-Jersey,

*Resolved*, That another deputy secretary be appointed :  
That the pay of the deputy secretary be 75 dollars a month.

*Resolved*, That Jacob Rush, esquire, be appointed deputy secretary.

*Resolved*, That Mr. John Eustace, who has served with honor fidelity and bravery as aid de camp to general Lee and general Sullivan, have the commission of a major in the service of the United States.

*Resolved*,

*Resolved*, That to-morrow be assigned for electing a quartermaster general in the room of general Mifflin

The board of treasury report, "That agreeable to the order of Congress, referring to the board the claims of monsieur le Brun and the other French gentlemen who accompanied the late monsieur du Coudray from France in consequence of an agreement with Mr. Deane, they have been attended by monsieur le Brun, who is agent for the other gentlemen :

That the board offered monsieur le Brun to report it as their opinion, and which they had reason to believe would be agreeable to Congress, notwithstanding they declared that the United States were not bound by Mr. Deane's convention, that monsieur le Brun and all the other gentlemen whom he represents should be received into the service of the United States and enjoy the several ranks and employments which had been stipulated for them by Mr. Deane, and the same pay and appointments which were allowed to other officers of similar ranks and employments in the American army, explaining at the same time the mischief which must arise from partial distinctions in the appointments of the officers of the army : that they made the same propositions and remarks with respect to him and the gentlemen whom he represents to Mr. du Coudray in his life time, which they presumed had been communicated : that Mr. le Brun, in answer to this proposal, declared that he and the gentlemen whom he represented were determined to return to France as soon as possible, and presented a paper setting forth their claims against the United States, which with the account referred to them by Congress the board took in consideration : that Congress on the 13th day of October last did pass the following resolution, "That the commissioned and non-commissioned officers who have accompanied monsieur du Coudray from France have the ranks proposed for them in France, together with the pay and emoluments of equal ranks in the service of the United States : " That it appears from a memorial presented to Congress by monsieur du Coudray that he received at Havre de Grace in France, from Mr. Montieu by order of Mr. Deane, 26541 livres, as well for himself as the officers who accompanied him ; which sum was intended to have been applied to defray the expence of their voyage to America, and of furnishing themselves with  
necessary

necessary camp equipage on their arrival, and for which the committee agreed to make no charge against them: on these principles the board submit to Congress the following resolution, viz.

*Resolved*, That it is the opinion of this Committee, that the return of the said gentlemen to France at their own request be facilitated, and that it will be doing full justice to allow them continental pay according to their respective stations from the time of their agreement with Mr. Deane to the first of November 1777, their expences in travelling to the eastward or southward for embarkation for Europe, and a farther sum in bills of exchange for their passages to France and travelling charges to Paris: that the bills be drawn in their favour by the president on the commissioners in France at thirty days sight, and that these allowances shall be in full satisfaction of their several claims against the United States: and the committee having made an estimate of the allowances according to this resolution, submit the same in manner following;

	Amount of Pay.	Traveling expences.	Passage and traveling expences to Paris.
Doctor Noel,	600 dol.	100 dol.	900 livres tourn.
Mr. le Brun, adjt. gen.	1000 do.	100 do.	900 do.
Mr. le Brun, capt. eng.	700 do.	100 do.	900 do.
Mr. Villefranche do.	700 do.	100 do.	900 do.
Mr. Varaigue, do.	675 do.	100 do.	900 do.
Mr. Frontfreyde, lt. eng.	437 2-3	100 do.	900 do.
Mr. Rivaud, do.	437 2-3	100 do.	900 do.
Mr. le Blanc, do.	437 2-3	100 do.	900 do.
Mr. l'Enfant, do.	437 2-3	100 do.	900 do.
Mr. Niverd, capt. miner.	650 do.	100 do.	900 do.
Mr. Canyjet, lieut. do.	437 2-3	100 do.	900 do.
Mr. Parisis, do.	437 2-3	100 do.	900 do.
Mr. des Espiniers, capt.	675 do.	100 do.	900 do.
Mr. Romanett, do.	650 do.	100 do.	900 do.
Mr. Loyaute, capt. artil.	600 do.	100 do.	900 do.
Mr. Touzard, do.	550 do.	100 do.	900 do.
Mr. de Goy, capt. lt. do.	520 do.	100 do.	900 do.
Mr. Pierre, do.	520 do.	100 do.	900 do.
Mr. Parison, do.	520 do.	100 do.	900 do.
Mr. Matthior, lieut.	325 do.	100 do.	900 do.
Mr. Boichard, do.	325 do.	100 do.	900 do.
Mr. Ganot, do.	325 do.	100 do.	900 do.
Mr. Mattigny, do.	283 1-3	100 do.	900 do.
Mr. Pommereuiel, do.	300 do.	100 do.	900 do.
Mr. du Baller, do.	283 1-3	100 do.	900 do.
Mr. Fouquet, capt. bom.	520 do.	100 do.	900 do.
Mr. Fouquet, lieut.	325 do.	100 do.	900 do.

Mr. Begard, lt. workmen, 325 do.	100 do.	900 do.
12 Serjeants of artillery, 1625 do.	000 do.	000

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15622 2-3	2800	25200
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Of which they have been paid 11421, so that there remains a balance of pay 4201 2-3 dollars, for expences 2800 dollars, and for taking a draught at Marcus Hook, 219 dollars, amounting in the whole to 7220 2-3 dollars:” whereupon

*Resolved*, That Congress agree to the said report and resolution, and that the said balance of 7220 2-3 dollars be paid and bills drawn for 25200 livres accordingly.

The committee on the treasury brought in a farther report; whereupon

*Resolved*, That the provision made for Mr. le Brun and the officers who accompanied him from France be extended to Mr. le Balme, who has resigned his commission as inspector general of horse in the service of the United States, and intends to return to Paris, and that there be paid to the said Mr. de la Balme the balance of his pay 167 45-90 dollars, one hundred dollars for his travelling expences to Boston or Charleston, and a further sum of 900 livres in bills of exchange for his passage to France and charges to Paris; and that the bills be drawn in his favour on the commissioners in France at thirty days sight, and that these allowances shall be in full satisfaction of his claims against the United States.

*Four o’Clock, P. M.*

A motion being made for supplying colonel Dayton with a horse.

*Ordered*, That it be referred to the board of war.

Application being made by Mr. le Brun for two waggons to carry his and the other gentlemen’s effects to Boston or to the southward;

*Ordered*, That it be referred to the board of war, with power to grant his request, and to employ the waggons on their return in such public service as they think proper.

Congress resumed the consideration of the articles of confederation; whereupon it was moved after the words “to appoint one of their number to preside,” to add “provided that no person be allowed to serve in that office more than one year in any term of three years;” and the yeas and nays being required,

New-



New-Hampshire,	Mr. Folsom,	ay		ay
Massachusetts-Bay,	Mr. S. Adams,	ay	}	ay
	Mr. Gerry,	ay		
	Mr. Lovell,	ay		
	Mr. Marchant,	ay		
Rhode-Island,	Mr. Dyer,	no	}	no
Connecticut,	Mr. Law,	no		
	Mr. Williams,	no		
	Mr. Duane,	no		
New York,	Mr. Duer.	no	}	ay
New Jersey,	Mr. Elmer,	ay		
	Mr. Morris,	no		
	Mr. Roberdeau,	ay		
Pennsylvania,	Mr. Clingan,	ay	}	divided.
	Mr. Smith,	no		
	Mr. Rumsey,	ay		
	Mr. Jones,	ay		
Maryland,	Mr. F. L. Lee,	ay	}	ay
	Mr. Harvie,	ay		
	Mr. Penn,	no		
	Mr. Harnett,	ay		
Virginia,	Mr. Laurens,	ay	}	divided.
North-Carolina,	Mr. Penn,	no		
	Mr. Harnett,	ay		
	Mr. Laurens,	ay		
South-Carolina,	Mr. Laurens,	ay		

So it was resolved in the affirmative.

A motion was made to strike out the whole article relative to the powers of the committee of the states, and instead thereof to substitute "The committee of the states or any nine of them shall be authorised to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided no power be delegated to the said committee for the exercise of which by the articles of confederation the voice of nine states in the Congress of the United States assembled is requisite;" and the question being put,

*Resolved* in the affirmative.

In the article respecting Canada it was moved to strike out the word "entirely" before "joining," and read "Canada acceding to this confederation and joining in the measures of the United States."

*Resolved* in the affirmative.

*Ordered*, That Mr. S. Adams and Mr. J. Adams have leave of absence to visit their families.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

SATURDAY,

SATURDAY, November 8, 1777.

The committee to whom was referred the motion respecting the convention of Saratoga, brought in a report; which was read:

On motion that the consideration thereof be postponed,

New Hampshire,	Mr. Folsom,	ay	} ay
Massachusetts Bay,	Mr. S. Adams,	no	
	Mr. J. Adams,	no	} no
	Mr. Gerry,	ay	
	Mr. Lovell,	no	
Rhode-Island,	Mr. Marchant,	no	} no
Connecticut,	Mr. Dyer,	no	
	Mr. Law,	ay	} ay
	Mr. Williams,	ay	
New-York,	Mr. Duane,	ay	} ay
	Mr. Duer,	ay	
New-Jersey,	Mr. Elmer,	ay	} ay
	Mr. Roberdeau,	no	
	Mr. Clingan,	no	
Maryland,	Mr. Smith,	ay	} ay
	Mr. Rumsey,	ay	
Virginia,	Mr. Jones,	no	} no
	Mr. F. L. Lee,	no	
	Mr. Harvie,	ay	
North Carolina,	Mr. Penn,	ay	} ay
	Mr. Harnett,	ay	
South Carolina	Mr. Laurens,	no	} no

So it was resolved in the affirmative.

*Four o'Clock, P M.*

Congress resumed the consideration of the report brought in this morning; whereupon

*Resolved,* That major general Heath be directed forthwith to cause to be taken down the name and rank of every commissioned officer, and the name, former place of abode, occupation, size, age and description of every non-commissioned officer and private soldier, and all other persons comprehended in the convention made between lieutenant general Burgoyne and major general Gates on the 16th day of October 1777, and transmit an authentic copy thereof to the board of war, in order that if any officer, soldier or other person as above mentioned of the said army shall hereafter be found in arms against these states in North-America during the present contest, he may be convicted of  
the

the offence, and suffer the punishment in such case inflicted by the law of nations.

That major general Heath be directed to take the parole in writing of the officers according to the convention, and transmit authenticated copies of such paroles to the board of war.

*Ordered*, That the committee have leave to sit again.

A memorial from sundry officers of the Pennsylvania troops was read.

*Ordered*, That it be referred to the board of war.

*Resolved*, That general Mifflin be desired, notwithstanding his resignation of quarter master general is accepted, to continue in the exercise of that office, and that he be invested with full powers to act until another quarter master general is appointed and enters upon the duties of the office.

The committee on foreign applications reported a memorial and proposal from Mr. Fouquet and Son to continue in the service of the United States.

*Ordered*, That the same be referred to the board of war, and that they be empowered to enter into a contract with Mr. Fouquet and Son and engage them in the service of the United States.

The several matters to this day referred being postponed, adjourned to ten o'clock on Monday.

M O N D A Y, November 10, 1777.

A letter of the 30th and one of the 31st of October from general Gates at Albany, with one of the 26th inclosed from governor Clinton to general Gates;

A memorial from mons. le Brun; and a letter of the 8th and one of the 10th instant from W. Buchanan, commissary general of purchases; were read.

*Ordered*, That the letter from governor Clinton be referred to the board of war; that the letters from general Gates and Mr. Buchanan, and the memorial from Mr. le Brun, be referred to the board of treasury.

Sundry depositions relative to the conduct of lieutenant Reynolds, of one of the additional regiments, were read.

*Ordered*, That they be referred to general Washington, and that he be directed to cause a strict enquiry to be made into the conduct of lieutenant Reynolds, as set forth in the said depositions, that if found guilty he may be punished as his crimes deserve.

Congress

Congress took into consideration a report of the board of war of the 6th: whereupon

*Resolved*, That the committee of foreign affairs be directed to write to the commissioners of the United States in France and Spain to purchase and ship on continental account in armed vessels, in addition to what has heretofore been ordered by Congress, 500 tons of lead, 400 tons of powder, one million of gun flints, tents for 50,000 men, and 10,000 yards of flannel for cartridges, to be sent to such ports and places as the said committee shall direct; and that the former orders of Congress and of the commercial committee for cloathing, fire arms, equipage, brass field pieces, salt, and other articles, and for 130,000 blankets be compleated as soon as may be.

That the committee be also directed to write to the commissioners, and instruct them to contract with and send over by different conveyances, two or three persons well acquainted with the making of gun flints, in order to instruct persons in that business and introduce into these states so useful a manufacture; likewise three or more proper persons skilful in working lead mines and refining lead ore, and three or more persons skilful in the discovery of sulphur mines and manufacturing and refining sulphur.

*Ordered*, That the commercial committee and the committee of foreign affairs immediately report to Congress what orders they have transmitted to the commissioners of the United States in France and Spain for military supplies, designating what have arrived and such as they are informed have been taken by the enemy or have miscarried.

*Resolved*, That general Gates be authorized to order the deputy paymaster general to pay, upon the certificates of such officers as he shall think proper, the sums due to the officers and soldiers of the army under his command for rations or parts of rations allowed to, but not drawn by them respectively, provided the regulations of the commissary's department relative to the payment of rations as aforesaid be no longer dispensed with than general Gates shall judge necessary.

*Ordered*, That to-morrow be assigned for appointing a deputy commissary general of purchases and a deputy commissary of issues in the Western district.



*Four o'clock, P. M.*

Sundry propositions being laid before Congress in addition to the articles of confederation,

*Resolved*, That a committee of three be appointed to take the same into consideration and report such as they shall judge proper to be added to the articles of confederation, not changing or altering any of the articles already agreed on.

The members chosen, Mr. Law, Mr. R. H. Lee, and Mr. Duane.

A memorial from Mr. de Vernejour was read :

*Ordered*, That it be referred to the board of war, and that they be directed to consider the merit and services of Mr. Fleury and Mr. du Pleffis and report to Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, November 11, 1777.

A memorial from chevalier Dorset, and a memorial from the officers who accompanied Mr. du Coudray, were read.

*Resolved*, That a committee of three be appointed to take into consideration the applications of the commissioned and non commissioned officers who accompanied Mr. du Coudray from France ; to revise the report of the treasury and the resolutions of Congress thereon respecting those officers ; and as soon as possible report to Congress what further sums, if any, they shall apprehend it just and expedient Congress should grant them ; that the said committee also take into consideration the memorial of chevalier Dorset and the application of any other foreign gentlemen now attending Congress.

The members chosen, Mr. R. H. Lee, Mr. Marchant, and Mr. Duane.

*Four o'clock, P. M.*

The committee on the treasury brought in a report whereupon

*Ordered*, That a warrant issue on the treasurer in favour of John Brown, secretary to the marine committee, for 2000 dollars, for the use of the said committee, who are to be accountable.

That the president issue a warrant on Thomas Smith, esquire, commissioner of the loan office for the state of Pennsylvania, in favour of Matthew Irvine, agent to Joseph

seph Trumbull, esquire, late commissary general, for 50,000 dollars, advanced in consequence of Mr. J. Trumbull's letter of the 14th of August, to enable him to pay his contracts for provisions, the said Joseph Trumbull to be accountable.

That a warrant issue in favour of Elijah Etting for 426 60-90 dollars, for the payment of Joseph Simon's order, dated Lancaster October the 29th last, in his favour, for blankets delivered brigadier general Hand at fort Pitt, for the use of the hospital there, brigadier general Hand to be accountable.

The committee appointed to take into consideration the new articles proposed to be added to or concluded in the confederation, brought in a report which was read.

*Ordered*, That it be taken into consideration to-morrow morning.

Congress proceeded to the election of a deputy commissary general of issues for supplying the forts and posts on the western frontiers of Pennsylvania and Virginia; and the ballots being taken

John Erwing was elected.

The president laid before Congress a copy of a resolution passed in Congress on September the 18th ordering commissions to be granted to a number of officers in the department of the commissary general of military stores, which was delivered to him by colonel B. Flower, C. G. M. together with the list of the officers, who, notwithstanding the resolution aforesaid have not yet received their commissions; whereupon

*Ordered*, That commissions be granted to the following persons in the department of the commissary general of military stores, with the dates annexed to their respective names agreeably to the said list, viz.

Of the company to work in the laboratory, enlisted to serve during the war as artillery men, Isaac Coren captain, February the 1st 1777; Will. E. Godfrey captain lieutenant, July the 1st 1777; Anthony Wright first lieutenant, March the 1st 1777; Andrew Caldwell second lieutenant, April the 1st 1777.

Of the company of artillery artificers, enlisted during the war, to be attached to the artillery in the field, Jesse Roe captain, February the 3d 1777; Valentine Hoffman captain lieutenant, February the 12th 1777; Christian Heackly first lieutenant, February the 3d 1777; and Will.

Preston

Preston second lieutenant, April 7, 1777:—Of the companies of artillery artificers, enlisted to serve for one year and ordered to be re-enlisted to serve during the war,

Nathaniel Irish captain, February 7th, 1777; Thomas Wylie captain lieutenant, February 17th, 1777; George Norris first lieutenant, February 8th, 1777; James Sweiney second lieutenant, February 22d, 1777: David Pancoast captain, February 10th, 1777; John Jordan captain lieutenant, February 17th, 1777; James Gibson first lieutenant, February 17th, 1777:

Jonathan Gostelow major, commissary of military stores, February 1st, 1777; Joseph Watkins major commissary of ordnance stores, February 5th, 1777; Wollory Ming captain, superintendant of leather manufactory, April 1st, 1777; Samuel Sergeant, superintendant of the public works at Carlisle and keeper of all the stores, August 1777, his pay 60 dollars a month and 4 rations a day:

Charles Lukins major, commissary of military stores and paymaster to the commissary general of military stores in the department of Carlisle, March 8th 1777, his pay 60 dollars a month and 4 rations a day:

Johnson Smith, contractor and procurer of all the lumber and some other materials wanted for the public works at Carlisle, July 21st 1777, pay 60 dollars a month and 3 rations a day:

Cornelius Sweers, assistant commissary of military stores at Philadelphia, February 1st 1777:

Alexander Power, quartermaster to the corps of artillery artificers at Carlisle, July 30th 1777, same pay and rations as regimental quartermaster:

Samuel French major, commissary of military stores, January 18th 1777, with the army:

George Everfon captain, deputy commissary of military stores, January 18th 1777:

Alexander Henderson captain, deputy commissary of military stores, September 10th 1777:

A memorial from Thomas Hite, administrator of the estate of Jacob Hite, deceased, in behalf of the heirs of the said deceased, was read;

*Ordered*, That it be referred to the board of treasury.

The several matters to this day referred being postponed adjourned to ten o'clock to-morrow.

WEDNESDAY, November 12, 1777.

A letter of the 8th from general Washington at White-marsh, inclosing a copy of a letter from general Dickinson ; one of the 31st of October from general Heath ; also a letter of the 30th of October from Ebenezer Hancock ; and one of the 16th of October from J. Bradford ; were read ;

*Ordered*, That the letters from general Washington and E. Hancock be referred to the board of treasury : and that the letter from J. Bradford be referred to the committee of commerce.

*Resolved*, That a copy of general Heath's letter of the 31st of October be transmitted to the general assembly of the state of Massachusetts-Bay, who are requested to afford Samuel Allen Otis, esquire, agent of the cloathier general in the said state, the necessary assistance for procuring the cloathing mentioned in the said letter and for having it made up for the army, who are in great want thereof.

An order drawn on John Hancock, esquire, president of Congress, by George Morgan, in favor of Sampson Matthews, dated October the 1st 1777, was presented to Congress :

*Ordered*, That it be referred to the board of treasury.

Congress took in consideration the articles proposed to be added to the confederation ; whereupon

*Resolved*, That the following be included.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress.

The members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from and attendance on Congress, except for treason, felony or breach of the peace.

Adjourned to four o'clock.

*Four o'Clock, P. M.*

The board of treasury brought in a report ; whereupon

*Ordered*, That Jonathan Trumbull, esquire, transmit to Congress a certificate from Mr. Cuyler, deputy commissary general of purchases for the Northern district, specifying the sum supplied the latter from the military chest, and that the board of treasury be authorised thereupon to credit Mr. Trumbull



Trumbull for the said sum, and charge it to the commissary general of purchases.

*Ordered,* That a warrant issue on Nathaniel Appleton, esquire, commissioner of the continental loan office in the state of Massachusetts-Bay, in favor of doctor William Shippen, director general of the hospital, for 67,000 dollars, for the use of his department and for which he is to be accountable :

That a warrant issue on Nathaniel Appleton, commissioner of the continental loan-office in the state of Massachusetts-Bay, in favor of William Buchanan, commissary general of purchases, for 200,000 dollars, for the use of the Eastern department ; and that another warrant issue on the continental treasurer in favor of the board of war for 200,000 dollars, to be by them transmitted to the deputy commissary general of purchases for the Northern department ; that one other warrant issue on the treasurer in favor of the board of war for 200,000 dollars, to be by them transmitted to the deputy commissary general of purchases in the Southern district ; for which three sums, amounting to 600,000 dollars, the said William Buchanan, esquire, commissary general of purchases, is to be accountable.

Congress resumed the consideration of the articles proposed to be added to the confederation ; whereupon

*Resolved,* That the following be included therein,

If any person guilty of or charged with treason, felony or other high misdemeanor in any state, shall flee from justice and be found in any of the United States, he shall upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of the states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

It was then moved to add, “ and an action of debt may be commenced in a court of law of any state for the recovery of a debt due on a judgment of any court in any other state ; provided the judgment creditor shall give bond with sufficient sureties before the said court, in which the action shall be brought, to answer in damages to the adverse party, in case the original judgment should be afterwards revised and set aside, and provided the party against whom such judgment may have been obtained had notice in fact of the service of the

the original writ upon which such judgment shall be founded."

New Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. Gerry,	no	}	*
Rhode Island,	Mr. Marchant,	ay	}	ay
Connecticut,	Mr. Dyer,	ay	}	
	Mr. Law,	no	}	ay
	Mr. Williams,	ay	}	
New-York,	Mr. Duane,	no		*
New-Jersey,	Mr. Elmer,	no	}	no
Pennsylvania,	Mr. Roberdeau,	ay		divided.
	Mr. Clingan,	no		
Maryland,	Mr. Smith,	no	}	divided.
	Mr. Rumsey,	ay	}	
Virginia,	Mr. Jones,	no	}	
	Mr. R. H. Lee,	no	}	no
	Mr. F. L. Lee,	no	}	
	Mr. Harvie,	no	}	
North-Carolina,	Mr. Penn,	no		no
	Mr. Harnett,	no		
South-Carolina,	Mr. Laurens,	no	}	no

So it passed in the negative.

A letter of the 10th from general Washington was read, together with the proceedings of a board of general officers for settling the ranks of the Pennsylvania field officers, dated the 17th of August 1777, and the same being taken into consideration; thereupon

*Resolved*, That Congress agree to the principle adopted by the said board in settling the relative rank or precedence of officers according to that standing they held in the army immediately before their present commissions, except where persons are promoted upon principle of merit only; and that the arrangement made by the said board with respect to the relative rank of the Pennsylvania field officers, be and it is hereby confirmed.

*Resolved*, That the commissions heretofore granted to the said officers be and they are hereby vacated.

*Ordered*, That the said commissions be delivered by the respective officers to general Washington.

*Ordered*, That new commissions be made out for the said officers, with the ranks and dates annexed to their names respectively, and transmitted to general Washington.

11.

1st, colonel Magaw, January 3d, 1776; 2d, colonel Irvine, January 9th; 3d, colonel Cadwallader, September 7th; 4th, colonel Johnson, September 27th; 5th, colonel Chambers, September 28th; 6th, colonel Broadhead, September 29th; 7th colonel Wood, September 30th; 8th, colonel Humpton, October 1st; 9th, colonel Cook, October 2d.—Lieutenant Colonels; 1st, Nagle, August 21st; 2d, Becker, August 22d; 3d, Rofs, September 27th; 4th, Richard Butler, September 28th; 5th, Craig, September 29th; 6th, William Butler, September 30th; 7th, Frazier, October 1st; 8th Greer, October 2d; 9th, Guernsey, October, 3d; 10th, Hubley, October 4th; 11th, Gray, October 5th, 1776.—Majors, 1st, Smith, September 27th, 1776; 2d, Miller, September 28th; 3d, Williams, September 29th; 4th, Lamar, September 30th; 5th, Harman, October 1st; 6th, Robinson, October 2d; 7th, Benezet, October 3d; 8th, Bayard, October 4th; 9th, Hay, October 5th; 10th, North, October 6th; 11th, Mentzes, October 7th; 12th, Crawford, October 8th, 1776.

*Resolved.* That colonel Stewart's regiment be annexed to the Pennsylvania line, and form the thirteenth regiment.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T H U R S D A Y, *November 13.* 1777.

The board of war brought in a report; whereupon

*Resolved,* That blank commissions be sent to general Gates, to enable him to fill up the vacancies in the Massachusetts regiments, in pursuance of powers given him for that purpose by that state.

A letter of the 17th of October from William Aylett, esquire, inclosing his accounts for the purchase of flour, was laid before Congress and read:

*Ordered,* That it be referred to the board of treasury.

*Resolved,* That a committee of three be appointed to enquire into the cause of the obstructions in the department of the postmaster general, and report thereon to Congress.

The members chosen, Mr. Roberdeau, Mr. Gerry, and Mr. Marchant.

The committee on the treasury brought in a report; whereupon

*Ordered,*

*Ordered*, That a warrant issue on the commissioner of the loan-office in the state of Massachusetts-Bay, in favour of Ebenezer Hancock, esquire, deputy paymaster general in the Eastern department, for 200,000 dollars, to be paid after the warrants drawn the 12th instant, in favour of the commissary general of purchases ; it being for the use of the said department, and for which the said deputy paymaster general is to be accountable.

That a warrant issue on the continental loan-officer for the state of Rhode-Island, for 44,000 dollars, and another warrant on the commissioner of the loan office in the state of Maryland for 8000 dollars, both in favour of the marine committee or their order, and for which they are to be accountable :

That a warrant issue on the treasurer in favour of colonel Jesse Ewell, of a regiment of militia from the state of Virginia, 1097 30-90 dollars, for which he is to be accountable :

That a warrant issue on the continental loan-officer for the state of Massachusetts-Bay for 20,000 dollars, and another warrant on the commissioner of the loan-office of the state of New-Hampshire for 10000 dollars, both in favour of James Mease, esquire, cloathier general, being an advance for the use of his department, and for which he is to be accountable :

That a warrant issue on the treasurer in favour of captain David Bell for 3000 dollars, in discharge of a bill drawn on Congress in favour of Sampson Matthews by colonel George Morgan, dated the 1st of October 1777, on account of provisions for the use of the Western department ; colonel Morgan to be accountable.

*Four o'clock, P. M.*

A letter of the 3d from general Putnam, and one of this day from William Buchanan, esquire, commissary general of purchases, with one inclosed from general Putnam, dated November the 3d, were read :

*Ordered*, That the same be referred to the committee appointed to consider and report upon the letter from S. Hopkins, esquire, and the papers inclosed.

Congress resumed the consideration of the articles proposed to be added to the confederation, and the following were agreed to :

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states



states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the respective states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively provided that such restriction shall not extend so far as to prevent the removal of property imported into any state to any other state, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state on the property of the United States or either of them.

All bills of credit emitted, monies borrowed, and debts contracted, by or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions, as they may respect such lands and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined, in the same manner, as near as may be, as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

*Resolved*, That a committee of three be appointed to revise and arrange the articles of confederation agreed to, and to prepare a circular letter to the respective states to accompany the said articles.

The members chosen, Mr. R. H. Lee, Mr. Duane, and Mr. Lovell.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, November 13, 1777.

A letter of the 11th from general Washington at White-Marsh, with a copy of a letter of the 7th from general Putnam

Putnam, and a report of a board of general officers on the subject of rations, and a memorial from monsieur du Portail inclosed, was read ; also a letter of the 11th from W. Palfrey, esquire, paymaster general, with fundry papers inclosed, was read.

*Ordered,* That the letter from general Washington, with the papers inclosed, be referred to the board of war :

That the letter from W. Palfrey, with the letters inclosed, be referred to the board of treasury.

Whereas major general Schuyler has greatly suffered in his private affairs by the barbarous ravages of the British army under the command of lieutenant general Burgoyne on their retreat from Saratoga ;

*Resolved,* That major general Schuyler be at liberty to attend his private affairs until the committee appointed to enquire into the causes of the loss of Ticonderoga and mount Independence shall make their report, and he shall have notice to attend at head quarters in order to an enquiry into that event.

Whereas the committee appointed to enquire into the causes of the loss of Ticonderoga and mount Independence have not yet been able to collect materials and make their report ;

*Resolved,* That major general St. Clair be at liberty to attend his private affairs until he shall have notice to repair to head quarters in order to an enquiry into his conduct.

*Ordered,* That a warrant issue in favour of the board of war for 150,000 dollars to be forthwith transmitted agreeably to the request of William Palfrey, esquire, paymaster general, to William Bedlow his deputy at Fish-Kill ; the said William Palfrey, esquire, to be accountable ; and that the board of war direct the commanding officer at Fish-Kill to inform the troops there that money shall be sent as soon as possible to discharge the arrearages due to them.

The committee appointed to revise and arrange the articles of confederation, reported a draught which was read and agreed to.

*Ordered,* That a fair copy be made out accordingly:

*Four o'Clock, P. M.*

The committee appointed to take into consideration the application of the commissioned and non-commissi-

oned

oned officers who accompanied Mr. du Coudray from France, to revise the report of the treasury and the resolutions of Congress thereon respecting those officers and as soon as possible to report to Congress what farther sums, if any, they shall apprehend it is just and expedient Congress should grant to them, and also to take into consideration the memorial of the chevalier Dorset and the application of any other foreign gentlemen attending Congress, report

“ That they find by the representation of Mr. le Brun, that among the officers of the late general du Coudray's corps, there are six gentlemen who have received no part of the gratifications allowed to the other officers of that corps out of the 26,541 livres granted by Mr. Deane, which sum of 26,541 livres has been otherwise expended, as appears from an account presented to Congress by general du Coudray before his death; that the reason of these officers being formerly omitted, except Mr. Touzard and M. Epiniers, who received part of their gratifications, arose from its being more agreeable to them to receive their portions in America than in France, having money sufficient for immediate use in that country prior to their embarkation: the committee therefore are of opinion, that it will be equal and right to allow the gentlemen formerly omitted, gratifications proportionable to what have already been made to others of similar rank in the same corps, as follows, viz.

To monsieur des Epiniers nine hundred livres, Mr. Romanet one thousand five hundred livres, Mr. Touzard four hundred and fifty livres, Mr. Mattigny six hundred livres, Mr. l'Enfant six hundred livres, Mr. Ganot six hundred livres, making in the whole four thousand six hundred and fifty livres:”

“ The committee also think it reasonable that provision be made for the travelling expences and the passages of twelve sergeants belonging to general du Coudray's corps, who are likewise returning to France, in proportion to the allowance already made the commissioned officers, which proportionate allowance the committee estimate at sixty dollars each for travelling expences to Boston, and four hundred and fifty livres each for passage and travelling expences to Paris, amounting to seven hundred and twenty dollars and five thousand four hundred livres.

“ The committee likewise find upon examination, that in the former settlement a balance of travelling expences, accruing on the journey from Boston to Philadelphia, was omitted to be credited, which ought to be allowed, amounting to one thousand and four dollars.

“ The committee are farther of opinion, that the inconveniences of dissimilar pay to persons of similar ranks serving in the same army, being no bar at present, since the officers under consideration are returning to France, it will therefore be expedient and proper that they be allowed their pay in livres, by which it appears that a balance should be paid to Mr. le Brun, to be distributed among the respective commissioned and non commissioned officers, amounting to fourteen thousand five hundred and eighty livres and one half; that the livres allowed by this report be paid in the same manner as those lately reported by the committee of treasury for the same corps.

“ The committee are of opinion, that no settlement of general du Coudray's affair can properly be made but with his legal representatives, and that Mr. le Brun may, if he desires it, be furnished with a certificate of this opinion, as well as that it is deemed unnecessary to comprehend Mr. Fleury in this settlement, since that gentleman is now engaged in the continental service, and that Mr. le Brun be furnished with a copy of this report, attested by the secretary of Congress.

“ The committee are farther of opinion, that the two servants of Mr. du Coudray be furnished each with a draught on the commissioners for four hundred and fifty French livres, to pay their passage to France; which sum is to be charged in account with general du Coudray.

The said report being read, and question put to agree to it,

Massachusetts Bay,	Mr. Gerry,	ay		ay
	Mr. Lovell,	ay		ay
Rhode Island,	Mr. Marchant,	ay	}	ay
Connecticut,	Mr. Dyer,	ay	}	ay
	Mr. Law,	no	}	ay
	Mr. Williams,	ay	}	ay
New-York,	Mr. Duane,	no	}	*
New-Jersey,	Mr. Elmer,	no		no
Pennsylvania,	Mr. Roberdeau,	ay	}	ay
	Mr. Clingan,	ay	}	ay
				Maryland,



Maryland,	Mr. Smith,	ay	} ay
	Mr. Rumsey,	ay	
Virginia,	Mr. Jones,	ay	} ay
	Mr. R. H. Lee,	ay	
	Mr. F. L. Lee,	ay	
	Mr. Harvie,	ay	
North-Carolina,	Mr. Penn,	no	} divided.
	Mr. Harnett,	ay	
South-Carolina,	Mr. Laurens,	ay	} ay

So it was resolved in the affirmative.

*Resolved*, That the additional allowances now made shall be deemed and considered to be in full satisfaction of all claims which the said gentlemen or either of them have against the United States or against Mr. Deane.

*Resolved*, That general Washington be informed that Congress have long since written to the commissioners in France for cloaths compleat for eighty thousand men, and have received for answer that they might be expected here by the setting in of winter ; in consequence of which Congress have reason to hope for this necessary arrival in a short time : that Congress have also adopted various other means for importing cloathing, which they have reason to expect will be successful ; and on the 16th day of October ordered a copy of the general's return of articles wanted for the army to be transmitted to the respective assemblies of the Eastern and middle states, with a pressing recommendation to them to use their utmost endeavours to collect the same without delay and send them to the army. But since the wants of the army are immediate, Congress with the general may avail himself of the powers vested in him for obtaining these necessary supplies from the disaffected inhabitants. Congress being of opinion that the well disposed people of these states will rather be pleased than dissatisfied with a procedure by which their enemies shall be compelled to supply those things that are essential to the support and comfort of the army, and more especially as even the disaffected will be paid a reasonable price for what is demanded of them.

*Resolved*, That the powers with which general Washington was invested by a resolution of Congress of the 17th of September and another of the 8th of October last, be continued to the first day of March next, unless sooner revoked by Congress.

*Resolved*,

*Resolved*, That the president write a letter to the honorable Thomas M'Kean, speaker of the house of assembly of the state of Delaware, requesting him to exert his utmost endeavours effectually to prevent the disaffected inhabitants of that state from furnishing the enemy's fleet or army with provisions or supplies of any kind, and if he shall be of opinion that the strength of the well disposed people is not sufficient for the purposes above mentioned, that he inform Congress thereof, and what additional aid it may be necessary to send for effectually preventing the enemy getting supplies from the Delaware state; and that Mr. Speaker be informed a representation in Congress from that state is immediately wanted.

The delegates from New York produced credentials of their appointment made in assembly and council the 2d of October 1777, whereby it appears that the honorable Philip Livingston; James Duane, Francis Lewis, William Duer, and Gouverneur Morris, or any two of them, are empowered to represent that state in Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

SATURDAY, November 15, 1777.

A memorial from Edward West was read.

*Ordered*, That it be referred to the executive council of Pennsylvania.

*Resolved*, That an extract of general Washington's letter of the 11th instant, relative to cloathing, be forthwith sent to the states of Massachusetts-Bay, Connecticut, New-Jersey, Pennsylvania, Maryland and Virginia, who are requested to send without delay to the army under his command the blankets and other articles of cloathing that may be collected agreeably to a recommendation of Congress of the 16th of October last, to answer the pressing demands of the army previous to the arrival of supplies of cloathing expected by Congress; and that duplicate receipts be taken for the same from the cloathier general or his deputies respectively.

A copy of the confederation being made out, and sundry amendments made in the diction, without altering the sense; the same was agreed to and is as follows:

ARTICLES OF CONFEDERATION and  
PERPETUAL UNION between the states of  
New-Hampshire, Massachusetts-Bay, Rhode-Island and  
Providence

Providence plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South Carolina, and Georgia.

Article 1. The stile of this confederacy shall be *The United States of America*

Article 2. Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

Article 3. The said states hereby severally enter into a firm league of friendship with each other for their common defence, the security of their liberties and their mutual and general welfare; binding themselves to assist each other against all force offered to or attacks made upon them or any of them on account of religion, sovereignty, trade or any other pretence whatever.

Article 4. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states (paupers, vagabonds and fugitives from justice excepted) shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property into any state to any other state, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state on the property of the United States or either of them.

If any person guilty of or charged with treason, felony or other high misdemeanor in any state, shall flee from justice and be found in any of the United States, he shall upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

Article 5. For the more convenient management of the general interest of the United States, delegates shall be annually appointed, in such manner as the legislature  
of

of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recal its delegates or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No state shall be represented in Congress by less than two nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or any other for his benefit, receives any salary, fees or emolument of any kind.

Each state shall maintain its own delegates in any meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from and attendance on Congress, except for treason, felony or breach of the peace.

Article 6. No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any king, prince or state; nor shall any person holding any office of profit or trust under the United States or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation or alliance whatever between them without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States in Congress assembled with any king, prince or state, in pursuance of any treaties already proposed by Congress to the Courts of France and Spain.

No



No vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the United States in Congress assembled for the defence of such state or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only as, in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and have constantly ready for use in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies or shall have certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so eminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

Article 7. When land forces are raised by any state for the common defence, all officers of or under the rank of colonel shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

Article 8. All charges of war and all other expences that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion

portion to the value of all land within each state granted to or surveyed for any person as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the United States in Congress assembled.

Article 9. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made, whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in time of peace—appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally appeals in all cases of captures; provided that no member of Congress shall be appointed judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following: whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining

determining the matter in question ; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen ; and from that number not less than seven nor more than nine names, as Congress shall direct, shall in the presence of Congress, be drawn out by lot ; and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges to hear and finally determine the controversy, so always as a major part of the judges, who shall hear the cause, shall agree in the determination : and if either party shall neglect to attend at the day appointed, without shewing reasons which Congress shall judge sufficient, or being present shall refuse to strike the Congress shall proceed to nominate three persons out of each state, and the secretary of Congress shall strike in behalf of such party absent or refusing ; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive ; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned : provided, that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, “ well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward :” provided also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil, claimed under different grants of two or more states, whose jurisdictions as they may respect such lands and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be in the same man-

ner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated—establishing or regulating post-offices from one state to another throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expences of the said office—appointing all officers of the land forces in the service of the United States, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated “a committee of the states,” and to consist of one delegate from each state, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years—to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expences—to borrow money or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and cloath, arm and equip them in a soldier-like manner, at the expence of the United States; and the officers and



and men so cloathed, armed and equipped, shall march to the place appointed and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall on consideration of circumstances, judge proper that any state should not raise men or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same; in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped shall march to the place appointed and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the United States or any of them; nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a state or any of them, at his or their request, shall be furnished with a transcript of the  
said

said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

Article 10. The committee of the states, or any nine of them, shall be authorised to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled by the consent of nine states shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the Congress of the United States assembled is requisite.

Article 11. Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this Union: but no other colony shall be admitted into the same unless such admission be agreed to by nine states.

Article 12. All bills of credit emitted, monies borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

Article 13. Every state shall abide by the determinations of the United States in Congress assembled on all questions which by this confederation is submitted to them. And the articles of this confederation shall be inviolably observed by every state, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every state.

These articles shall be proposed to the legislatures of all the United States, to be considered, and if approved of by them, they are advised to authorise their delegates to ratify the same in the Congress of the United States; which being done, the same shall become conclusive.

Ordered, That the committee appointed to revise and arrange the articles of confederation have three hundred copies printed and lodged with the secretary, to be subject to the future orders of Congress.

Four

*Four o'clock, P. M.*

A letter of the 14th from G. Bryan, vice-president of the council of Pennsylvania, to the delegates of that state in Congress, together with fundry papers relative to Indian depredations on the western frontiers, was laid before Congress and read :

*Ordered*, That the same be referred to a committee of three; the members chosen Mr. Roberdeau, Mr. Harvie and Mr. Harnet.

*Ordered*, That Mr. R. H. Lee have leave of absence for the recovery of his health

*Resolved*, That a committee of three be appointed to collect and digest the late useful discoveries for making molasses and spirits from the juice of corn stalks, and report a plan for communicating the said discoveries to the inhabitants of the several states.

The members chosen Mr. Gerry, Mr. Law, and Mr. Roberdeau.

*Resolved*, That a copy of a letter from J. Bradford, dated Boston October the 16th 1777, to the secret committee, be transmitted to the cloathier general, to the quartermaster general, and to the board of war; that the cloathier general without delay appoint a deputy in each state if he hath not already made such appointments; that the cloth for soldiers cloathing, mentioned in the said letter to be imported into Bedford for account of Congress, be delivered to the cloathier general or his order; the bales of tents to the quartermaster general or his order; and that the board of war give directions respecting the arms mentioned in the said letter; that the receipts taken on the delivery be forthwith transmitted to the committee of commerce; that the cloathier general be directed immediately to give orders to his deputy for the state of Rhode-Island, to receive the said cloth for soldiers cloathing, and procure the making up the same into cloaths there or elsewhere, as soon as may be, and to forward them with the utmost dispatch to general Washington's army; that the cloathier general also write to the governor and council of the state of Rhode Island, requesting them, in case the person appointed by him as his deputy should decline acting, to appoint a suitable person for that purpose, and for forwarding the cloathing as above directed; and the said governor and council are requested to make such appointment accordingly, and to give every necessary aid to the above important business.

The



The committee appointed to consider the applications of foreign officers, &c. report;

“ That they have had under consideration memorials of chevalier Crenis, monf. Dorset, and chevalier de la Colombe, which were referred to them; that although they are sensible of the zeal and good intentions of the chevalier Crenis and monf. Dorset in their wishes to serve the United States, yet when they reflect upon the circumstances of the American army, and consider that the number of officers now in commission are greatly disproportionate to the soldiers to be commanded, they cannot venture to recommend the said chevalier Crenis as lieutenant colonel and monsieur Dorset as major in the service of the United States, which ranks are respectively desired by the gentlemen aforesaid.

That considering the expences these gentlemen have incurred, and the inability stated by monsieur Dorset of returning to his own country, they submit it to the wisdom of Congress, whether it may not be expedient to furnish the necessary aid for this purpose.

That with regard to the chevalier de la Colombe, for whom the marquis de la Fayette requests a captain's commission in the American service, the committee think the same may be granted.

The said report being read, and on the question to agree to the first paragraph,

Resolved in the affirmative.

The third paragraph being read,

*Resolved*, That a captain's commission be granted to the chevalier de la Colombe.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

M O N D A Y, *November 17, 1777.*

Mr. Edward Langworthy and Mr. Joseph Wood, two of the delegates from Georgia, attended and produced the credentials of their appointment, which were read as follows.

“ State of Georgia. House of Assembly, Saturday January the 7th, 1777. The house proceeded to the choice of continental delegates, when it appeared that the following gentlemen were duly elected, viz. Nathan Brownson, Edward Langworthy, Joseph Wood, Lyman Hall, and George Walton, esquires. A true extract from the minutes, James Wood, junior, Cl. H. A.”

Mr.



Mr. Dana, a delegate from Massachusetts-Bay, and Mr. Ellery, a delegate from Rhode-Island, attended and took their seats in Congress.

Congress resumed the consideration of the second paragraph in the report of the committee on the applications from foreign officers, &c. and it appearing that monsieur Dorset had arranged himself and obtained the commission of lieutenant among the officers who accompanied Mr. du Coudray, and who on the 15th of September last composed themselves into a corps of volunteers under Mr. du Coudray, as a captain in the service of the United States.

*Resolved*, That two hundred dollars be presented to monsieur Dorset as a gratification for his services and expences in America, and that a bill of exchange be drawn in his favour on the commissioners of Congress at the Court of France for nine hundred livres. to pay his passage to France and do defray his expences to Paris.

The board of war brought in a report, which was taken into consideration; whereupon

*Resolved*, That the chevalier du Portail be appointed to the rank of brigadier general, monf. de Launoy and monf. de la Radiere to that of colonel, and monf. Gouvion to that of lieutenant colonel in the army of the United States; the said gentlemen to be employed as heretofore in the capacity of engineers.

Sundry bills of exchange drawn by colonel Kennon, accompanied with letters of advice of the 14th of April last from J. Rutledge, president of South-Carolina, were presented to Congress.

*Ordered*, That they be referred to the board of treasury.

*Ordered*, That Mr. Marchant have leave of absence.

The committee appointed to prepare a circular letter to accompany the articles of confederation, brought in the following draught:

IN CONGRESS, York-Town, November 17th, 1777.

Congress having agreed upon a plan of confederacy for securing the freedom, sovereignty and independence of the United States, authentic copies are now transmitted for the consideration of the respective legislatures.

This business equally intricate and important has in its progress been attended with uncommon embarrassments and delay, which the most anxious solicitude and persevering

vering diligence could not prevent. To form a permanent Union, accommodated to the opinion and wishes of the delegates of so many states differing in habits, produce, commerce and internal police, was found to be a work which nothing but time and reflection, conspiring with a disposition to conciliate, could mature and accomplish.

Hardly is it to be expected that any plan, in the variety of provisions essential to our union, should exactly correspond with the maxims and political views of every particular state. Let it be remarked that after the most careful enquiry and the fullest information, this is proposed as the best which could be adapted to the circumstances of all; and as that alone, which affords any tolerable prospect of general ratification.

Permit us then earnestly to recommend these articles to the immediate and dispassionate attention of the legislatures of the respective states. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength to maintain and defend our common liberties: let them be examined with a liberality becoming brethren and fellow citizens surrounded by the same eminent dangers, contending for the same illustrious prize, and deeply interested in being forever bound and connected together by ties the most intimate and indissoluble; and finally let them be adjusted with the temper and magnanimity of wise and patriotic legislators who, while they are concerned for the prosperity of their own more immediate circle, are capable of rising superior to local attachments, when they may be incompatible with the safety, happiness and glory of the general confederacy.

We have reason to regret the time which has elapsed in preparing this plan for consideration; with additional solicitude we look forward to that which must be necessarily spent before it can be ratified. Every motive loudly calls upon us to hasten its conclusion.

More than any other consideration, it will confound our foreign enemies, defeat the flagitious practices of the disaffected, strengthen and confirm our friends, support our public credit, restore the value of our money, enable

us to maintain our fleets armies, and add weight and respect to our councils at home and to our treaties abroad.

In short, this salutary measure can no longer be deferred. It seems essential to our very existence as a free people, and without it we may be constrained to bid adieu to independence, to liberty and safety—blessings, which from the justice of our cause and the favour of our almighty Creator visibly manifested in our protection we have reason to expect, if in an humble dependance on his divine providence we strenuously exert the means which are placed in our power.

To conclude, if the legislature of any state shall not be assembled, Congress recommend to the executive authority to convene it without delay; and to each respective legislature it is recommended to invest its delegates with competent powers ultimately in the name and behalf of the state to subscribe articles of confederation and perpetual union of the United States: and to attend Congress for that purpose on or before the day of

On motion to fill up the blanks with “first” and “May next”

New-Hampshire,	Mr. Folsom,	ay		ay
Massachusetts-Bay,	Mr. Gerry,	ay	}	ay
	Mr. Lovell,	ay		
	Mr. Dana,	no		
	Mr. Marchant,	no		
Rhode-Island,	Mr. Ellery,	no	}	no
	Mr. Dyer,	no		
Connecticut,	Mr. Law,	no	}	no
	Mr. Williams,	no		
	Mr. Duane,	no		
New-York,	Mr. Elmer,	no	}	*
New-Jersey,	Mr. Roberdeau,	no	}	no
Pennsylvania,	Mr. Clingan,	no		
Maryland,	Mr. Runfey,	no	}	*
	Mr. R. H. Lee,	no		
	Mr. F. L. Lee,	no		
Virginia,	Mr. Haivie,	no	}	no
	Mr. Penn,	no		
	Mr. Harnett,	no		
North-Carolina,	Mr. Laurens,	no	}	no
	Mr. Langworthy,	no		
	Mr. Wood,	no		

So it passed in the negative.

*Resolved*, That the first blank be filled with "tenth," and the second with "March next."

It was then moved, after "next" to add "if practicable;"

New-Hampshire,	Mr. Folsom,	ay	}	ay
Massachusetts-Bay,	Mr. Gerry,	ay		
	Mr. Lovell,	ay	}	ay
	Mr. Dana,	ay		
Rhode-Island,	Mr. Marchant,	no	}	no
	Mr. Ellery,	no		
Connecticut,	Mr. Dyer,	no	}	no
	Mr. Law,	no		
	Mr. Williams,	ay	}	*
New York,	Mr. Duane,	no		
New Jersey,	Mr. Elmer,	no	}	no
Pennsylvania,	Mr. Roberdeau,	no		
	Mr. Clingan,	no	}	no
Maryland,	Mr. Rumsey,	no		*
Virginia,	Mr. R. H. Lee,	no	}	no
	Mr. F. L. Lee,	no		
	Mr. Harvie,	no	}	no
North-Carolina,	Mr. Penn,	no		
	Mr. Harnett,	no	}	no
South-Carolina,	Mr. Laurens,	no		
Georgia,	Mr. Langworthy,	no	}	no
	Mr. Wood,	no		

So it passed in the negative.

The letter being agreed to,

*Ordered*, That thirteen copies be made out signed by the president, and forwarded to the several states, with copies of the confederation.

*Four o'Clock, P M.*

*Resolved*, That Mr. Dana, Mr. Ellery and Mr. Wood be appointed members of the marine committee, in the room of those from their respective states, who are absent or have leave of absence.

*Resolved*, That three members be added to the committee of appeals, in the room of Mr. President, Mr. J. Adams and Mr. Marchant :

Members chosen, Mr. Harvie, Mr. Dana and Mr. Ellery.

*Resolved*, That two members be added to the board of war ;

The



The members chosen, Mr. Dana and Mr. J. B. Smith.

The several matters to this day referred being postponed adjourned to ten o'clock to-morrow.

TUESDAY, November 18, 1777.

A letter of the 12th from general Mifflin was read, declaring his acceptance of the appointment which Congress have been pleased to make of him as one of the new board of war.

A letter of the 2d from brigadier general Hand; one from Archibald Steel; and one of the 1st from J. Boreman at fort Pitt, to colonel G Morgan; one of the 10th from general Gates at Albany, with sundry papers inclosed; one of the 6th from Hezekiah Van Orden, with an affidavit inclosed; and one of the 5th from the council of safety of New-York; were read:

*Ordered*, That the letter from H. Van Orden, with the affidavit inclosed, be transmitted to governor Clinton of New-York.

The committee on the treasury brought in a report; whereupon

*Ordered*, That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania, in favour of William Henry, esquire, of Lancaster, for ten thousand dollars, for the purchase of shoes and leather for the use of the army, said William Henry to be accountable:

That a warrant issue on Josiah Clarke, esquire, commissioner of the loan-office for the state of Rhode-Island, in favor of the marine committee, for twenty thousand nine hundred and fifty dollars, to enable Daniel Tillinghast, esquire, to pay a balance due to the commissioners who built the frigates; the said committee to be accountable:

That four hundred dollars be advanced to brigadier general du Portail, for which he is to be accountable:

That fifty dollars be paid to R. H. Lee, esquire, pursuant to an order of P. Henry, esquire, governor of Virginia, for the transportation of the baggage of baron de Kalb from Williamsburgh to Yorktown, and charged to the account of the baron de Kalb:

That seven hundred dollars be advanced to Mr. Jonathan Elmer, a delegate for the state of New-Jersey, on his request, and charged to the said estate.

*Four*

*Four o'clock, P. M.*

Whereas Congress is informed that there is now in York-town a certain John Brown, who, after the enemy took possession of Philadelphia, came out of that city, as he says, on private business and obtained leave from our general to pass into the country ; that after going through a considerable part of this state, he the said John Brown returned to Philadelphia, and is again come out without a flag or pass from any general or officer in the service of the United States, pretending that he is charged with a verbal message to Congress from general Howe ; and whereas such conduct administers just grounds of suspicion that he is employed by the enemy for purposes inimical to these states :

*Resolved,* That the board of war cause the said John Brown to be arrested and sent under guard to the executive council of Pennsylvania, to be dealt with as they in their wisdom may deem fit and proper.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

WEDNESDAY, November 19, 1777.

A letter of the 30th of October from E. Hancock, deputy paymaster general in the Eastern department, with his monthly account ; one of the 1st instant from B. Harrison, deputy paymaster general in Virginia, with his monthly account ; were read :

*Ordered,* That it be referred to the board of treasury.

A letter of the 11th from general Sullivan was read :

*Ordered,* That the letters from fort Pitt be referred to the committee on Mr. vice-president Bryan's letter of the 14th.

*Ordered,* That the return of ordnance, &c. taken from the enemy, which was inclosed in general Gates's letter of the 10th, and the letter from the council of safety of New-York, be referred to a committee of three.

The members chosen Mr. R. H. Lee, Mr. Duer, and Mr. Dana :

That the letter from general Gates, with the other papers inclosed, be referred to the board of war.

Congress being informed that there is a quantity of leather on the way to this town from North-Carolina,

*Ordered,*

*Ordered*, That the board of war purchase the same, and take measures to have it made into shoes for the use of the army.

Congress having received information, through various channels, that the American soldiers and other inhabitants of the United States of America, whom the fortune of war hath made prisoners to the British army under command of general Howe, are now imprisoned in Philadelphia, and treated with such shocking inhumanity that numbers expire in the prison yard for want of food ; and whereas such treatment of the American prisoners is not only inconsistent with the practice of civilized nations, but totally the reverse of that humane treatment which the British prisoners have uniformly received in these states.

*Resolved*, That general Washington be desired to make strict enquiry into the truth of this information, and to report to Congress as soon as possible the result of his enquiries.

The board of war brought in a report, which was taken into consideration ; whereupon

*Resolved*, That David Poe be appointed quartermaster for the town of Baltimore in the state of Maryland, in the room of, and for the purpose for which Jared Hopkins, who declines acting, was appointed.

*Resolved*, That the resolution passed the 2d of October last, for sitting twice a day, be repealed, and that after this day Congress sit but once a day ; and that they meet precisely at ten o'clock.

The committee on the treasury brought in a report ; whereupon.

*Ordered*, That three hundred thousand dollars be advanced to the board of war, to be by them forwarded to William Palfrey, esquire, paymaster general, who is to be accountable.

That one thousand dollars be advanced to the president, to pay expressees and other contingent expences, for which he is to be accountable ; and that an authenticated copy of this order shall be a sufficient voucher to the treasurer for the payment of this sum :

That a duplicate warrant in favour of Jonathan Trumbull, junior, esquire, deputy paymaster general, in the Northern department, issue on the loan office of the state of Massachusetts-Bay, for two hundred thousand dollars.

to

to serve in case a warrant for the like sum, in favour of Mr. Trumbull, dated the 16th of October last, in consequence of an order of Congress of the same day on the office aforesaid, should not be received by him.

*Four o'Clock, P. M.*

The medical committee brought in a report ; whereupon

*Resolved*, That the cloathier general be directed to deliver to the director general of the military hospitals, the deputy directors general, or their assistants, for the use of the sick and wounded of the several departments, a proportionable share of the blankets, shirts, shoes and stockings which he shall from time to time procure for the supply of the army.

That the director general of the hospitals be authorised to cause stoves to be erected in the different hospitals, in case he shall think such a measure will conduce to make up for the present scarcity of blankets and cloathing or to the greater comfort of the sick ; and that the waggons annexed to the hospital department be employed as much as possible in the transportation of fuel for the respective hospitals.

A letter of the 6th from major general Mifflin to colonel R. H. Lee, on the subject of the quartermaster's department, was read in Congress :

*Ordered*, That it be referred to the new board of war, so soon as they meet, and that they be directed to report a plan for conducting the business of the quartermaster general.

The committee to whom were referred the letter from the vice-president of Pennsylvania and the letters from fort Pitt, brought in a report, which was taken into consideration, and after debate,

*Resolved*, That the farther consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

THURSDAY, November 20, 1777.

Congress resumed the consideration of the report of the committee on the letter from the vice president of Pennsylvania, and the letters from fort Pitt, which is as follows :

That



That an inroad has been made on the western frontiers of Virginia and Pennsylvania by some savage tribes of Indians, wherein a number of helpless people have been cruelly massacred, and the peaceable inhabitants driven from their homes and reduced to great distress :

That from a number of papers filed proclamations, under the hand and seal of Henry Hamilton, lieutenant governor of fort Detroit, left by the Indians where they committed their murders, and of which there is one now in the possession of the committee, as well as from other information and circumstances, it appears that these savages have been instigated by British agents and emissaries, and particularly by the said H. Hamilton to this barbarous and murderous war—The committee apprehend, that so long as that post continues to be garrisoned by British troops, who are restrained by no laws of humanity from using every means to accomplish their purpose of subjugating these states, those frontiers will be incessantly exposed to the barbarous ravages of the Indian tribes under their influence—That by means of the said agents and emissaries, a dangerous spirit of disaffection has been excited and fomented among some worthless and evil disposed persons on the said frontiers, who, lost to all sentiments of virtue, honor or regard for their country, have been induced to aid our remorseless enemy—That the Shawanese and Delaware Indians continue well affected and disposed to preserve the league of peace and amity entered into with us ; for which reason they are threatened with an attack by their hostile neighbours, who have invaded us, and are at the same time exposed to danger from the attempts of ill disposed or ill advised persons among ourselves—The committee are therefore of opinion, that for the safety and security of the frontiers, as well to preserve the public faith of these United States, plighted to our Indian allies, speedy and effectual measures ought to be taken to suppress the spirit of disaffection among our own deluded people, to repel and put a stop to the hostile invasions of our enemies, to protect our Indian allies and confirm them in their good disposition, and to remove, if possible, the cause from whence all the evils in that quarter arise : whereupon

*Resolved*, That three commissioners be appointed to repair without delay to fort Pitt; that they be instructed

to investigate the rise, progress and extent of the disaffection in that quarter, and take measures for suppressing the same and bringing the deluded people to a sense of their duty.

That the said commissioners be invested with full powers to suspend for misconduct any officers in the service of the United States, employed in that quarter, and appoint others in their room, and to confine in safe custody all such officers against whom they shall have satisfactory proof of being offenders against the rights and liberties of America.

That the said commissioners be directed to cultivate the friendship of the Shawanese and Delawares, and prevent our people from committing any outrages against them.

That they be empowered to engage as many of the Delaware and Shawanese warriors in the service of the United States as they judge convenient.

That they be empowered and directed, for effectually checking the progress of the enemy, to concert with brigadier general Hand a plan of carrying the war into the enemy's country, and cause the same to be executed with all convenient dispatch.

And in order to prevent such barbarous incursions for the future, that the said commissioners be empowered to cause the operations of the war to be extended against the British garrison at Detroit and its dependencies, provided the reduction of that fortress can in their opinion be effected at this season of the year, and the whole can be accomplished by a force not exceeding two thousand men, exclusive of Indian auxiliaries.

That it be earnestly recommended to the legislative powers of Virginia and Pennsylvania to invest the commissioners with every necessary authority over their respective militias, to empower them to arrest and commit for trial such of their respective inhabitants on the western frontiers as shall appear to have been concerned in any conspiracy or plot against the United States; and otherwise to afford the said commissioners such assistance as shall be necessary to prosecute with vigor the measures that they may adopt in consequence of these resolutions.

*Resolved,* That general Washington be requested to send colonel William Crawford to Pittsburgh, to take the command, under brigadier general Hand, of the continental troops and militia in the Western department.

The

The committee appointed to enquire into the conduct of colonel G Morgan brought in a report : whereupon

*Resolved*, That the case of colonel G. Morgan be included in the business referred to the consideration of the commissioners who are to be appointed for various purposes on the Western frontiers : that in the mean while colonel Morgan be restored to the appointment for Indian affairs, and that he be appointed deputy commissary general of purchases in the Western district.

A letter of this day from Alexander Gillon was read :

*Ordered*, That it be referred to the committee of commerce.

Congress proceeded to the election of commissioners to proceed to fort Pitt, and the ballots being taken,

Colonel Samuel Washington, Gabriel Jones, esquire, and colonel J. Reed, were declared to be elected.

It was then moved whether colonel J Reed, being elected by ballot, not being nominated to the office before the balloting was gone into, is elected agreeably to the usage and practice of Congress ?

*Resolved* in the negative.

Colonel Reed being then nominated, Congress proceeded to a new election, and the ballots being taken,

Colonel Joseph Reed was elected.

*Resolved*. That the hour of two, P. M. be fixed upon for the time of adjourning.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, November 21, 1777.

A letter of the 17th from general Washington at White-marsh, with sundry papers inclosed ; one of the 12th from R. H. Harrison, expressing his obligation to Congress for the honor done him in appointing him a member of the board of war, which from a sense of his being unequal to the various important duties of the office, he wishes to decline ; one of the 13th from colonel T. Pickering, declaring his acceptance of the appointment of the board of war ; and one of the 11th from governor Livingston of New-Jersey ; were read :

*Ordered*, That the letter from P. Zantzinger to brigadier Wayne, inclosed in general Washington's letter, together with such part of the said letter as relates thereto, be referred to the board of treasury :

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That

That the letter from general Washington, with the other papers inclosed, and the letter from governor Livingston, be referred to the board of war.

A petition from Thomas Moore, with an account inclosed, was read :

*Ordered,* That it be referred to the board of treasury, who are directed to report specially thereon.

A petition from sundry inhabitants of Sharpsburgh, and a memorial from sundry officers prisoners there ; also a petition from John Sumner, were read :

*Ordered,* That they be referred to the board of war.

*Resolved,* That Silas Deane, esquire, be recalled from the court of France, and that the committee for foreign affairs be directed to take proper measures for speedily communicating the pleasure of Congress herein to Mr Deane, and the other commissioners of the United States at the court of France.

*Resolved,* That Monday next be assigned for chusing a commissioner to the court of France in place of Silas Deane, esquire.

The committee to whom were referred the return of ordnance, &c. taken from the enemy and the letter from the council of safety of New-York, brought in a report, which was taken into consideration, and after debate,

*Resolved,* That it be re-committed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, November 22, 1777.

A letter of the 21st from colonel G. Morgan was read : whereupon

*Resolved,* That the resolution of Congress of the 15th of October last, directing that no assistant purchasing commissaries be appointed for the Western district, be not extended to the temporary appointments of such officers, and that the commissary general of purchases be directed to authorise the deputy commissary general of purchases for the said district to make such appointments when he the said commissary general shall judge it necessary.

A letter of the 21st from W. Buchanan, commissary general of purchases, was read :

*Ordered,* That it be referred to a committee of three ;

The members chosen Mr. Duer, Mr. Gerry and Mr. Ro-berdeau.

*Ordered,*



*Ordered,* That the committee attend immediately to this business, and that they confer with general Mifflin.

A letter from Monsieur Crenis was read :

*Ordered,* That the consideration thereof be postponed.

A letter from Charlotte, wife of colonel Antil, was read :

*Ordered,* That it be referred to the board of war.

The committee to whom was re-committed their report on the return of ordnance and stores taken from the enemy since the 19th day of September, and the letter from the council of safety of New York, report,

“ That there is no mention in the said return of standards, military chest, medicines or tents; that the quantity of powder is very small, being only fifteen barrels grained and two barrels mealed, and the quantity of fixed ammunition very inconsiderable—that the muskets amount only to four thousand six hundred and forty seven, a number not equal to the prisoners who surrendered agreeable to the convention of Saratoga, and all these muskets are returned unfit for service—that there are only six hundred and thirty-eight cartouch boxes—that the number of the bayonets is greatly inferior to the muskets, and these, as well as the cutlasses, are returned “without scabbards” or belts: in short the whole return seems very inadequate to a well appointed army and to what might be expected from the answers returned by lieutenant general Burgoyne to the first propositions made by major general Gates: the committee therefore are of opinion, that an enquiry ought to be made into the causes of this deficiency: whereupon

*Resolved,* That the president immediately send an express to general Gates, and desire answers to the following questions, viz.

What is become of the standards belonging to the respective regiments in general Burgoyne’s army?

Where is the military chest and the medicines?

What is become of the cartouch boxes?

How comes the quantity of powder and cartridges to be so small?

How comes it that the number of muskets is less than that of the prisoners, and that all the muskets are unfit for service?

How comes the number of bayonets to be so greatly inferior to that of the muskets?

Where

Where are the scabbards and belts of the bayonets and cutlasses?

Was there any destruction, waste, removal or concealment of the arms, tents, colours, treasure, or other military stores, belonging to general Burgoyne's army, from the time the first proposal was made on the 13th of October to the time of the surrender?

What was the state and condition of the arms and military stores when received by general Gates?

Were the arms piled agreeably to the articles of convention? if they were not, did any damage necessarily accrue in consequence of the failure?

And that general Gates be directed to make the necessary enquiries and return his answers to Congress as soon as possible.

*Resolved*, That it is not to be understood that the embarkation of the troops under lieutenant general Burgoyne is in any wise to be delayed on account of the foregoing queries, if transports arrive before the answers are returned and the enquiry directed is finished.

On considering the foregoing report, a motion was made, "That a committee of                    be appointed to repair immediately to Albany to confer with general Gates on every particular respecting the execution of the convention of Saratoga on the part of general Burgoyne, and that as the basis of their joint enquiries the following points to be particularly recommended; and then the questions to follow:

New-Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. Lovell,	no	}	no
	Mr. Dana,	no		
Rhode-Island,	Mr. Ellery,	no		no
Connecticut,	Mr. Law,	no	}	no
	Mr. Williams,	no		
New-York,	Mr. Duer,	ay	}	no
	Mr. Roberdeau,	no		
Pennsylvania,	Mr. Clingan,	no	}	no
	Mr. Smith,	no		
Maryland,	Mr. Rumsey,	no	}	no
	Mr. R. H. Lee,	no		
Virginia,	Mr. F. L. Lee,	no	}	no
	Mr. Haynie,	no		
North-Carolina,	Mr. Penn,	ay	}	divided.
	Mr. Harnett,	no		
				South-

South-Carolina	Mr. Laurens,	no	} no
Georgia,	Mr. Langworthy,	no	

So it passed in the negative.

Another motion was made, after the words "and return his answer to Congress as soon as possible," to add the following paragraph—"And whereas it is probable that sufficient evidence cannot be obtained in Albany touching the premises; resolved that major general Heath be directed to collect all the evidence he can possibly procure concerning the state of the arms, tents, standards, treasure, medicines, and other military stores belonging to general Burgoyne's army, before proposals were made for entering into a convention, and whether there was any destruction, waste, concealment, or removal of any of the above articles from the time when general Burgoyne's first proposal was made on the 13th of October to the time of surrender; and that he transmit to Congress with all possible dispatch, and properly authenticated, the evidence which he may so collect."

A previous question was called for, whether that question be now put,

New Hampshire,	Mr. Folsom,	no	} no
Massachusetts-Bay,	Mr. Lovell,	no	
	Mr. Dana,	no	} no
Rhode-Island,	Mr. Ellery,	no	
Connecticut,	Mr. Law,	no	} no
	Mr. Williams,	no	
New-York,	Mr. Duer,	ay	} *
Pennsylvania,	Mr. Roberdeau,	no	
	Mr. Clingan,	no	} no
Maryland,	Mr. Smith,	no	
	Mr. Rumsey,	no	} no
Virginia,	Mr. R. H. Lee,	no	
	Mr. F. L. Lee,	no	} no
	Mr. Harvie,	no	
North Carolina,	Mr. Penn.	no	} no
	Mr. Harnett,	no	
South-Carolina,	Mr. Laurens,	no	} no
Georgia,	Mr. Langworthy,	no	

So it passed in the negative.

Congress having received information that the insidious enemies of the United States of America have endeavoured to propagate in Europe false and groundless reports that a treaty had been held between Congress and the

the commissioners of the king of Great-Britain, by which it was probable that a reconciliation would take place :

Be it declared and resolved, that the commissioners of the said United States at the several Courts in Europe be authorised to represent to the Courts at which they respectively reside, that no treaty whatever has been held between the king of Great-Britain or any of his commissioners and the said United States since their declaration of independence.

And whereas the cause of these United States may be greatly endangered, unless such of the European powers as regard the rights of mankind should interpose to prevent the ungenerous combination of other powers against the liberties of the said states :

*Resolved*, That the commissioners of the United States at the several Courts in Europe be directed to apply to the respective Courts, and request their immediate assistance for preventing a farther embarkation of foreign troops to America, and also to urge the necessity of their acknowledging the independance of these states.

*Resolved*, That all proposals for a treaty between the king of Great-Britain, or any of his commissioners, and the United States of America, inconsistent with the independance of the said states, or with such treaties or alliances as may be formed under their authority, will be rejected by Congress.

*Resolved*, That the commissioners of the United States be severally directed to communicate to the respective Courts the purport of their first and second resolutions, when they think it expedient, and to suspend the last until upon a general consultation of the commissioners a majority shall judge it necessary.

Congress resumed the consideration of the report from the board of treasury of the 19th; whereupon

*Resolved*, That the pay of Jonathan Trumbull, junior, esquire, deputy paymaster general of the Northern department, be augmented to one hundred and twenty-five dollars per month.

That the sum of one hundred and fifty dollars be allowed to Jonathan Trumbull, junior, esquire, deputy paymaster general of the Northern department, for his past extraordinary services.

*Resolved*, That the former board of war be authorised to proceed on the business of that department till such time as a sufficient number of the commissioners of the war office shall attend.

The



The committee to whom were referred the letter from the honorable Stephen Hopkins, and the proceedings of the committees from New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut and New-York, and for other purposes mentioned in a resolution of Congress of the 10th of September last, brought in a report, which was taken into consideration, and thereupon Congress came to the following resolutions :

Pursued by the injustice and the vengeance of Great-Britain, these United States have been compelled to engage in a bloody and expensive war. Amidst every distress that may befall them, it will be their consolation to appeal to Heaven for the rectitude of their measures ; since they have had recourse to arms, not from ambition or the lust of power, but to resist actual invasion and boundless rapine, and to secure the common rights and privileges of human nature--the blessings of freedom and safety.

Aided by venal foreigners and domestic traitors, the war has been prosecuted by our implacable foes with their utmost force and vigor, and aggravated by more than savage barbarity.

Congress nevertheless, supported by the confidence of their fellow citizens, without burthening them with taxes or pecuniary contributions, have hitherto raised all the necessary supplies on the public faith.

To maintain our fleets and armies large sums have been emitted in bills of credit, and the same method has been embraced by the respective states to answer their internal wants. By these expedients, our paper currency, notwithstanding the solid basis on which it is founded, is multiplied beyond the rules of good policy. No truth being more evident, than that where the quantity of money of any denomination exceeds what is useful as a medium of commerce, its comparative value must be proportionably reduced. To this cause, conspiring with the arts of our open and secret enemies, the shameful avidity of too many of our professed friends, and the scarcity of foreign commodities are we to ascribe the depreciation of our currency ; the consequences to be apprehended are equally obvious and alarming. They tend to the depravity of morals, the decay of public virtue, a precarious supply for the war, debasement of the public faith, injustice to individuals, and the destruction of the honor, safety and independence of the United States.---

Loudly

Loudly therefore are we called upon to provide a seasonable and effectual remedy. Blessed be God, they are not irremediable. The means of repressing them are still in our power. Let the virtuous patriots of America reflect on the inestimable value of the prize for which we are contending. Hitherto spared from taxes, let them now with a cheerful heart contribute according to their circumstances. Let the sordid wretches, who shrink from danger and personal service, and meanly prefer their own inglorious ease and emolument to the good of their country, be despised, and their ill-gotten wealth be abhorred as a disgrace. Let the extortioners and oppressors be punished; the secret traitor dragged to light; the necessities of the army attended to and relieved; and the quantity of money in circulation be reduced; and we shall soon see the public credit fully established, and, with the continuance of the divine favour, a glorious termination of the present arduous conflict.

To promote these great and salutary purposes, Congress, upon mature deliberation and with the most earnest solicitude, recommend the following propositions to the legislatures of the respective states to be immediately adopted and carried into effect.

1. *Resolved*, That it be most earnestly recommended to the respective states to raise in the course of the year 1778, commencing on the first day of January next, by quarterly payments, the sum of five millions of dollars, by taxes, to be levied on the inhabitants of the respective states in the proportions following, viz.

New Hampshire,	-	-	200,000 dollars,
Massachusetts Bay	-	-	820,000
Rhode-Island and Providence	}		100,000
Plantations,			
Connecticut,	-	-	600,000
New-York,	-	-	200,000
New-Jersey,	-	-	270,000
Pennsylvania,	-	-	620,000
Delaware,	-	-	60,000
Maryland,	-	-	520,000
Virginia,	-	-	800,000
North Carolina,	-	-	250,000
South-Carolina,	-	-	500,000
Georgia,	-	-	60,000
			<hr/>
			5,000,000

That

That the sums to be assessed and to be raised shall not be considered as the proportion of any state, but being paid into the treasury shall be placed to their respective credit, bearing an interest of six per centum per annum from the time of payment, until the quotas shall be finally ascertained and adjusted by the Congress of the United States, agreeably to the confederation hereafter to be adopted and ratified by the several states. And if it shall then appear that any state is assessed more than its just quota of the said tax, it shall continue to receive interest on the surplus, and if less it shall be charged with the interest on the deficiency until by a future tax such surplus or deficiency shall be properly adjusted.

2. *Resolved*, That it be earnestly recommended to the legislatures of the several states to refrain from further emissions of bills of credit, and where there is a sufficient quantity of continental bills of credit for the purpose of a circulating medium, forthwith to call in by loans or taxes and to cancel the paper money, small bills for change under a dollar excepted, which such state has already emitted; and for the future to provide for the exigencies of war and the support of government by taxes to be levied within the year, or such other expedient as may produce a competent supply.

3. And whereas the obstruction of the course of justice in any state may not only prove injurious to its citizens but also to the circulation and credit of the currency of such state and of the United States:

*Resolved* therefore, That it be recommended to the several states forthwith to take effectual care that justice be duly administered within their respective jurisdictions, as well for the recovery of debts as for the punishment of crimes and misdemeanors; provided that no suit or action shall be maintainable for the benefit of the enemies of these United States.

4. And whereas signal advantages have arisen from the establishment of continental loan-offices, on which Congress continue to place great dependence; in order therefore, as far as it is practicable to ascertain the supplies for the war which may be raised in the several states upon loan-office certificates.

*Resolved*, That it be recommended to the legislatures, or, in the recess of any of them, to the executive authority of the respective states to cause subscriptions to be opened under

the inspection of one or more respectable citizens within each town or district, specifying the names of the lenders and the sums they are willing to lend, and that a copy of such subscription papers shall from time to time be delivered to the respective commissioners of the said loan-offices, and by them transmitted to Congress; provided that no certificate shall issue for less than two hundred dollars.

5. *Resolved*, That it be recommended to the legislatures, or in their recess to the executive powers of the respective states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania and Delaware, respectively, to appoint commissioners to convene at New-Haven in Connecticut, on the 15th day of January next; and to the states of Virginia, Maryland and North-Carolina respectively, to appoint commissioners to convene at Fredericksburgh in Virginia, on the said 15th day of January; and to the states of South-Carolina and Georgia, respectively, to appoint commissioners to convene at Charlestown on the 15th day of February next; in order to regulate and ascertain the price of labour, manufactures, internal produce, and commodities imported from foreign parts, military stores excepted; and also to regulate the charges of inn-holders: and that on the report of the commissioners, each of the respective legislatures enact suitable laws, as well for the enforcing the observance of such of the regulations as they shall ratify, and enabling such inn-holders to obtain the necessary supplies, as to authorise the purchasing commissaries for the army or any other person whom the legislatures may think proper, to take from any engrossers, forestallers or other person possessed of a larger quantity of any such commodities or provisions than shall be competent for the private annual consumption of their families, and who shall refuse to sell the surplus at the prices to be ascertained as aforesaid, paying only such price for the same.

6. And in order to introduce immediate œconomy in the public expence, the spirit of sharpening and extortion, and the rapid and excessive rise of every commodity being confined within no bounds; and considering how much time must unavoidably elapse before the plan directed by the preceding resolution can be carried into effect,

*Resolved*,



*Resolved*, That it be earnestly recommended to the respective legislatures of the United States without delay, by their separate authority, to adopt and effectually to enforce a temporary regulation of the prices of provisions and other commodities for the supply of the army, in such manner as they shall judge reasonable; and to continue in force until the general regulation before proposed shall be adopted.

*Resolved*, That the farther consideration of the report be postponed.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, November 24, 1777.

A letter of the 9th from brigadier general Hand at fort Pitt, to the secretary of the board of war; one of the 11th from colonel Mason at Williamsburgh; one from brigadier de Roche Fermoy, with sundry papers inclosed; two from brigadier Conway, one of the 15th inclosing his commission which he begs leave to resign, the other directed to C. Carroll, esquire, or in his absence to the secretary of Congress; were read:

*Ordered*, That they be referred to the board of war.

A letter from Preefon Bowdoin, inclosing a bill of exchange drawn by W. Kennon, with a letter of advice from J. Rutledge, esquire, president of South Carolina, was read:

*Ordered*, That it be referred to the board of treasury.

The board of war report, "That they have had a conference with general Mifflin on the late establishment made by Congress for conducting the war department, and are unanimously of opinion, that a sufficient number of commissioners have not been appointed for giving due weight to the execution of the regulations which may be recommended by the board and adopted by Congress, and particularly for enabling one of the board of commissioners to visit from time to time the different armies, posts or garrisons, in order to see that the regulations adopted by Congress are carried into execution, and to examine what are the wants of the army and what defects or abuses prevail from time to time in the different departments:" thereupon.

*Resolved*, That two additional commissioners be appointed to execute the department of the war-office, in pursuance of the

the resolution of the 17th of October last, and that any three of the said commissioners have full power to transact business; any thing in the former resolutions respecting the board to the contrary notwithstanding.

The committee to whom was referred a letter from William Buchanan, esquire, commissary general of purchases, dated Yorktown, November the 21st 1777, report,

“ That upon conferring with the commissary general upon the supplies of flour for the army in the middle district, he informed the committee, that he knew of no other magazines established for this purpose than those at Lancaster and Yorktown; that he could not ascertain the quantity of flour therein, but supposed the former contained one thousand and the latter five thousand barrels; that to transport these to the camp some teams were provided and persons employed to procure as many more as were necessary; that these magazines would soon be exhausted, the consumption of the army being about two hundred barrels a day—that if by stormy weather or any accident the teams employed in this business were interrupted, he imagined the army would want bread—that he knew not where to purchase flour, as a scarcity had taken place in Pennsylvania from the backwardness of farmers to thresh out their wheat, or from the want of casks by the draughts of coopers in the militia for reinforcing the army—that from the middle district he had his present supplies of beef for the army—that this resource could not be lasting, and he had no expectation of immediate supplies from the Eastward and Northern districts—that he had employed some coopers to make barrels for salting pork, but that he was not able to assure the committee that a sufficient number of these means would be procured, and that no pork was yet engaged, as the season was not arrived for this business—that he could not inform the committee what or whether any measures were taken by the governor and council of safety of Connecticut, or executive council of Massachusetts-Bay, to send salt up the North river agreeably to the request of Congress of the 22d of October last—that if salt should be sent to the North river, he did not know where to obtain teams to transport it from thence, as some that he had sent to camp and ordered on to the river were employed in the army: from all which circumstances

stances the committee apprehend that the present prospect of supplies of provision for the army in this district is very precarious, and unless more effectual measures are speedily adopted, disagreeable consequences must necessarily follow. They are therefore of opinion, that the immediate attention of Congress to this business is necessary, and to remedy the present inconveniences have recommended to the commissary the advice of general Mifflin, namely, "to proceed to head-quarters, and hire twelve or more mills within six miles of, and covered by the army, to purchase or impress wheat in the sheaf, if the farmers cannot be prevailed on to thresh for the troops; to solicit the general to spare one hundred and fifty men from the army for that purpose and set the mills to work." By these means a present supply may be obtained, which bad weather cannot prevent, and time will be gained for establishing at Pottsgrove, Reading, Lancaster, &c. magazines of flour for three months; in which time the new board of war will probably take up the business and give proper orders for the supplies of the next campaign."

The committee farther report "that the commissary general as gone to camp on this business, and that they have recommended to him, on his way, to apply to the executive council or assembly of Pennsylvania for such assistance as shall be necessary: all which they submit to Congress," whereupon

*Resolved*, That Congress concur with the committee, and approve the advice given and the measures taken for the supply of the army.

*Resolved*, That a committee of five be appointed to devise ways and means for providing a sufficient supply of provisions for the army:

The members chosen, Mr. Gerry, Mr. Roberdeau, Mr. Dyer, Mr. Harvie, and Mr. Smith.

The committee appointed to prepare a plan for establishing a board to superintend the departments of the commissaries and quartermaster general, report,

That as a board of war, consisting of persons not members of Congress, has been lately established, and the late quartermaster general is a member thereof, the committee are of opinion, that a considerable expence may be saved by adding to the board a person acquainted with the commissarial business, and authorising it to superintend

intend each of the civil departments of the army: where-upon

*Resolved*, That Congress concur with the committee.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, November 25, 1777.

The committee on the treasury brought in a report; where-upon

*Ordered*, That one thousand dollars be advanced by the auditor general to Nathaniel Folsom, esquire, delegate from New-Hampshire, on his application; the said state to be accountable:

That one hundred and twenty dollars be advanced by the auditor general to the chevalier de la Colombe, a captain in the army he to be accountable:

That four thousand three hundred and twenty-three dollars and 60-90ths be paid by the auditor general to Winflow and Ingraham, for a quantity of leather purchased of them by William Henry for public service; Mr. Henry to be accountable.

The commissioners for building ships of war in Virginia having represented to the marine committee the necessity of a guard being provided for the protection of the continental frigates now on the stocks in that state, against the efforts of the enemy's ships of war, five of which lie frequently within ten miles of the yard where the frigates are building, and the committee having taken the same into consideration, brought in a report, which was read, and there-upon

*Resolved*, That the governor and council of Virginia be requested to provide such a guard from time to time at the continental expence as may be deemed necessary by the said commissioners, upon consideration of circumstances for the protection of aforesaid; and also to furnish the said commissioners with arms and ammunition sufficient to enable the men working in the yard to assist the guard in repelling any attempt that may be made by the enemy for the destruction of the frigates aforesaid.

*Resolved*, That the commissioners aforesaid be authorized to prepare a few fire rafts for the better security of the said frigates, it being represented by the commissioners that such rafts may be of considerable service and fixed at no great expence.

*Resolved*,



*Resolved*, That for the purposes of laying in provisions and other expences of the said yard, an order be drawn on the loan-office for the state of Virginia, in favor of the marine committee or their order, for ten thousand dollars, to be remitted to the commissioners aforesaid.

The board of war brought in a report; whereupon

*Resolved*, That general Washington be directed to publish in general orders, that Congress will speedily take into consideration the merits of such officers as have distinguished themselves by their intrepidity and their attention to the health and discipline of their men, and adopt such regulations as shall tend to introduce order and good discipline into the army, and to render the situation of the officers and soldiers with respect to cloathing and other necessaries more eligible than it has hitherto been.

*Resolved*, That governor Caswell be desired to appoint proper persons within the state of North-Carolina to purchase with secrecy and dispatch all the merchantable leather and deer skins in that state proper for making shoes, breeches, saddles, harness and military accoutrements: that he be desired to detain so much thereof as can be manufactured into shoes and breeches, within the space of four months, sending on to the cloathier general at Lancaster in Pennsylvania the shoes and breeches, which may be made from time to time, and delivering the residue of the said leather and skins to the order of the board of war:

That he be authorized to draw on the treasury for such sums as shall be necessary for the execution of this business, and transmit the accounts of the prices given and quantities purchased to the board of war and cloathier general.

A petition from John Simpers was read, setting forth, "that his brother Thomas Simpers, of Cæcil county in the state of Maryland, was taken into custody at the Head of Elk in the said county about the first week of September last, on suspicion of having dealt with the English army then at Elk, and carried to the American army then in the Delaware state, put in the provost guard and sent from place to place, and is now confined in Easton jail in the state of Pennsylvania, and praying that he may be returned back to Cæcil county, in order to undergo his trial for the supposed offence:" whereupon

*Ordered*,

*Ordered*, That the said petition be referred to general Washington, and that he be directed to give orders that the prisoner be remanded to Cæcil county in the state of Maryland, there to undergo his trial, agreeable to the laws of that state; the prisoner to bear the expences of his removal.

*Resolved*, That a committee of five be appointed to enquire in what manner the department of the cloathier general has been executed, and report such regulations as they may judge necessary to be adopted for the better execution of that office;

The members chosen Mr. Harvie, Mr. Gerry, Mr. Dyer, Mr. Roberdeau and Mr. Duer.

The committee on the treasury brought in a report; whereupon

*Ordered*, That seventy-eight dollars be paid to Jean Baptist Mourgens, late a lieutenant in colonel Livingston's regiment, raised in Canada, as a recompence for his extraordinary services in Canada, performed by desire of general Sullivan, and for his expences in performing the said services.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, November 26, 1777.

The board of war brought in a report; whereupon

*Resolved*, That it be recommended to the commonwealth of Virginia to appoint proper persons to re-inlist the soldiers of their first nine regiments, whose times of service are near expiring, and in failure thereof to take some speedy and effectual course of supplying their places in the continental army; and Congress agree to allow the men inlisting for the war or three years the usual bounty given to such recruits.

*Resolved*, That monsieur Fleury, in consideration of the disinterested gallantry which he has manifested in the service of the United States, be promoted to the rank of lieutenant colonel in the army.

The committee on the treasury brought in a report; whereupon

*Ordered*, That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania in favor of colonel Isaac Melcher, barrackmaster, for ten thousand dollars, for the purchase of wood, candles, straw,

straw, &c. for the use of the barracks ; the said I. Melcher to be accountable.

*Ordered*, That one thousand dollars be paid by John Gibson, esquire, auditor general, to the delegates of the state of Connecticut, the same being advanced to that state on the application of Mr. Williams and Mr. Law, two of its delegates ; the state to be accountable :

That thirty-five dollars and 48-90ths be paid by John Gibson, esquire, auditor general, to Thomas Hains and Frederick Severs, invalid soldiers, late belonging to the invalid regiment, discharged at their own request, for two months and twenty-four days pay, due to each of them, as appears by colonel L. Nicola's certificates ; the said colonel Nicola to be accountable.

Congress resumed the consideration of the report of the committee on the letter from S. Hopkins, esquire, &c. when the seventh article was agreed to as follows :

7. And whereas, notwithstanding the large quantities of cloathing which have seasonably been ordered from Europe for the armies of the United States, such have been the obstructions, from a variety of causes, that an adequate supply hath not been imported, and it is become necessary that immediate provision should be made to defend the troops from the inclemency of the winter, and to prevent future disappointments of the like nature, and that for this purpose the several states should be called upon for assistance ;

*Resolved* therefore, That it be earnestly recommended to the several states from time to time to exert their utmost endeavours to procure, in addition to the allowances of cloathing heretofore made by Congress, supplies of blankets, shoes, stockings, shirts, and other cloathing, for the comfortable subsistence of the officers and soldiers of their respective battalions ; and to appoint one or more persons to dispose of such articles to the said officers and soldiers in such proportions as the general officers from the respective states, commanding in such army, shall direct, and at such reasonable prices as shall be assessed by the cloathier general or his deputy, and be in just proportion to the wages of the officers and soldiers, charging the surplus of the cost to the United States ; and all cloathing hereafter to be supplied to the officers and soldiers of the continental army out of the public stores of the United States, beyond the bounties already granted, shall be charged at the like prices : the surplus to

be defrayed by the United States : provided that effectual measures be adopted by each state for preventing any competition between their purchasing agents and the cloathier general or his agents, who are severally directed to observe the instructions of the respective states relative to the prices of cloathing purchased within such state :”

On the question to agree to this part of the report,

New-Hampshire,	Mr. Folsom,	ay	} ay
Massachusetts-Bay,	Mr. Gerry,	ay	
	Mr. Lovell,	ay	} ay
	Mr. Dana,	ay	
Rhode-Island,	Mr. Ellery,	ay	} ay
Connecticut,	Mr. Dyer,	ay	
	Mr. Law,	ay	} ay
	Mr. Williams,	ay	
New York,	Mr. Duane,	ay	} <i>divided.</i>
	Mr. Duer,	no	
Pennsylvania,	Mr. Roberdeau,	ay	} ay
	Mr. Clingan,	ay	
Maryland,	Mr. Smith,	no	} no
	Mr. Rumsey,	no	
Virginia,	Mr. Jones,	no	} <i>divided.</i>
	Mr. R. H. Lee,	ay	
	Mr. F. L. Lee,	ay	
	Mr. Harvie,	no	} <i>no</i>
North-Carolina,	Mr. Penn,	no	
	Mr. Harnett,	no	} <i>no</i>
South-Carolina,	Mr. Laurens,	no	
Georgia,	Mr. Langworthy,	no	} <i>no</i>
	Mr. Wood,	no	

So it was resolved in the affirmative.

*Resolved*, That the farther consideration of the report be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

THURSDAY, November 27, 1777.

A letter of the 23d from general Washington, inclosing copies of letters that passed between him and general Howe, relative to the exchange and treatment of prisoners, and also extracts of sundry sentences of courts-martial against officers, was read.

Congress resumed the consideration of the report of the committee on the letter from S. Hopkins, esquire, &c. where-  
upon

8. *Resolved*,



8. *Resolved*, That it be earnestly recommended to the several states, as soon as may be, to confiscate and make sale of all the real and personal estate therein of such of their inhabitants and other persons who have forfeited the same and the right to protection of their respective states; and to invest the money arising from the sales in continental loan-office certificates, to be appropriated in such manner as the respective states shall hereafter direct.

Congress resumed the consideration of the reports and resolutions respecting the new board of war, and colonel Harrison's letter; whereupon

*Resolved*, That the wish of colonel Harrison be complied with, and that he be excused from serving as a member of the board of war, and that another be elected in his stead.

Congress then proceeded to the election of three commissioners for the board of war, and the ballots being taken,

Major general Gates, Joseph Trumbull and Richard Peters, esquires, were elected.

*Resolved*, That major general Gates be appointed president of the board of war.

*Resolved*, That Mr. president inform major general Gates of his being appointed president of the new constituted board of war, expressing the high sense Congress entertain of the general's abilities and peculiar fitness to discharge the duties of that important office; upon the right execution of which the success of the American cause does eminently depend; that he inform general Gates, that it is the intention of Congress to continue his rank as major general in the army, and that he officiate at the board or in the field as occasion may require; and that the general be requested to repair to Congress with all convenient dispatch to enter on the duties of his new appointment.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

FRIDAY, November 28, 1777.

A letter of the 7th from T. M'Kean to colonel J. Reed was laid before Congress and read:

*Ordered*, That it be referred to the board of war; and that they take such measures as they judge proper in consequence of the intelligence contained therein.

*Resolved* unanimously, That a committee of three be appointed forthwith to repair to the army; and in a private confidential consultation with general Washington to consider of the

the best and most practicable means for carrying on a winter's campaign with vigour and success—an object which Congress have much at heart—and on such consultation, with the concurrence of general Washington, to direct every measure which circumstances may require for promoting the public service.

The members chosen Mr. R. Morris, Mr. Gerry and Mr. Jones.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That three thousand and eighty dollars and 72-60ths be paid by John Gibson, esquire, auditor general, to the committee of commerce ; the said committee to be accountable :

That the following warrants issue on Thomas Smith, esquire, commissioner of the loan-office for the state of Pennsylvania, viz.

One in favor of James Paxton, assistant commissary of issues, for two thousand dollars, which sum was advanced him by Mr. Smith, September the 19th ; Charles Stewart, esquire, commissary general of issues, to be accountable :

One in favor of Michael Hillegas, esquire, continental treasurer, for sixty thousand dollars, being so much put into his hands by Mr. Smith the 16th of October last ; the said Michael Hillegas to be accountable :

One in favor of Blair M'Clenaghan, for sixteen thousand four hundred dollars, to discharge an order of the continental navy board on William Alricks, their cashier, dated September the 3d, for the payment of two ships purchased of the said B. M'Clenaghan ; the navy board to be accountable :

One in favor of John Gibson, esquire, auditor general, for forty-nine thousand five hundred and sixty-six dollars and 60-90ths, which sum the said T. Smith advanced at sundry times on a warrant of Congress of the 14th of September last, drawn on Mr. Gibson in favor of the executive council of the state of Pennsylvania ; the said J. Gibson to be accountable.

*Ordered*, That two hundred and seventy dollars be paid by John Gibson, esquire, auditor general, to the delegates of the state of Georgia, for the use of the said state, and be considered as a part of the three hundred thousand dollars ordered to that state.

*Ordered*,

*Ordered*, That warrants issue on John Gibson, esquire, auditor general, for the following sums, viz.

One in favor of the board of war for six thousand dollars advanced by him to the said board the 28th of September last, for the use of the Virginia militia, then on their march to join general Washington; the said board to be accountable.

One in favor of major William Roberts, for eight hundred and ten dollars, advanced the 1st of October by the auditor general for the use of the Culpepper militia from the state of Virginia, then on their march to join general Washington; the said major Roberts to be accountable.

One in favor of Charles Thomson, esquire, for fifty-seven dollars and 6-90ths, for the pay due to W. H. Houston, late deputy secretary of Congress, from the 1st to the 23d of September, and for portorage of papers of Congress, caeks, &c.

One in favor of Joseph Nourse, deputy secretary to the board of war, for his salary from the 10th of May to the 10th of November 1777, for three hundred and ninety dollars:

One in favor of William Govett, assistant auditor, for one hundred and sixty-one dollars and 70-90ths, for sundry expences with two waggons and the hire of one to Yorktown with the treasury books, papers, money, &c. from Philadelphia to Bristol, and round by Reading to Lancaster, with his expences from Lancaster to Reading and from thence to Yorktown, by order of Congress, with the waggons that had the public papers, and his expences from Philadelphia to Bristol, by order of the board for money, and for fundry contingent expences at Baltimore last winter.

*Ordered*, That a warrant issue on the treasurer in favour of William Buchanan, esquire, commissary general of purchases, for thirteen thousand three hundred and thirty-three dollars and 30-90ths, for an advance made by the treasurer to Colonel John Patten, deputy commissary of purchases at reading, the 25th of September last.

*Ordered*, That three hundred and seventy-five dollars be advanced to brigadier general de Roche Fermoy, for three months pay; he to be accountable.

*Ordered*,



*Ordered*, That there be paid to captain Peter Babb, or his order, eight hundred and eighty-seven dollars and 44-90ths, in full of his pay-roll of a company of militia from Frederick county Virginia, sent to relieve the soldiers of the 12th Virginia regiment, garrisoned at fort Pitt, from the 3d of April to the 3d of June following, inclusive; the warrant to issue on the auditor general.

*Ordered*, That a warrant issue in favor of the board of war, for three hundred thousand dollars, to be by them transmitted to William Palfrey, esquire, paymaster general, he to be accountable.

*Resolved*, That the salary of William Gorrett, assistant auditor general, be augmented and that henceforth he be allowed the same pay as a commissioner for auditing accounts.

Congress proceeded to the election of a Commissioner in the room of Silas Deane, esquire, and the ballots being taken.

John Adams esquire, a delegate in Congress from Massachusetts-Bay, was elected.

*Resolved*, That William Carmichael, esquire, be appointed secretary to the commissioners at the court of France.

*Resolved*, That an enquiry be made into the causes of the evacuation of fort Mercer on the river Delaware, and into the conduct of the principal officers commanding that garrison; and that a committee be appointed to report the mode of conducting the enquiry.

*Resolved*, That an immediate enquiry be made into the causes of the failure of the late expedition against Rhode-Island, and into the conduct of the principal officers conducting such expedition; and that a committee be appointed to report the mode of conducting such enquiry.

*Resolved*. That an enquiry be made into the loss of forts Montgomery and Clinton, in the state of New-York; and of fort Mifflin on the river Delaware in the state of Pennsylvania, and into the conduct of the principal officers commanding those forts; and that general Washington be directed to cause this enquiry to be made, and to transmit the proceedings of the court to Congress with all possible dispatch.

*Resolved*, That whenever any expedition which may be undertaken either by sea or land, by order or at the expence of the United States shall fail in the execution, or whenever any important post, fort or fortress, garrisoned and defended at the expence of the United States, shall be evacuated, or taken by the enemy, it be an established rule in Congress to institute an enquiry into the causes of the failure of such expedition



pedition, or into the loss of such post, fort or fortress, and into the conduct of the principal officer or officers conducting the expedition so failing, or commanding the post, fort or fortress so evacuated or taken by the enemy; the enquiry so instituted to be conducted in such manner as Congress shall deem best adapted for the investigation of truth in the respective cases.

*Resolved*, That the committee for conducting the enquiry into the causes of the evacuation of fort Mercer, and the failure of the expedition against Rhode-Island, consist of three;

The members chosen, Mr. Duer, Mr. Dana, and Mr. F. L. Lee.

The committee appointed to devise ways and means for providing a sufficient supply of provisions for the army, brought in a report, which was read; whereupon

*Resolved*, That a committee be appointed to repair forthwith to Lancaster, to confer with the general assembly of the state of Pennsylvania on the best means of providing immediate supplies and of establishing sufficient magazines of flour and pork for the army in this department; that they represent to the assembly the necessity of obtaining flour and pork barrels, and teams to transport salt from the North-River, and report thereon as soon as may be.

*Resolved*, That a copy of the resolution of Congress of the 23d of October and 3d of November, relative to the commissary's department, be transmitted to his excellency the governor and council of safety of the state of Connecticut, who are requested to order the salt to be sent from the eastern to the middle district agreeable to the resolution first mentioned, to such parts of the North-River and to the care of such officer or person there as they shall judge expedient, and inform Congress or the commissary general of purchases thereof; and the governor and council aforesaid are farther requested to take effectual measures for sending immediate supplies of cattle to the army in the middle district; and to the prisoners quartered near Boston; and to this purpose they are fully authorised to superintend the deputy commissaries general of purchases and issues and their respective deputies or assistants in the eastern and northern districts, and to remove and appoint others in the room of such as shall refuse or neglect to comply with their directions.

*Resolved*, That general Heath be directed to take effectual care that fresh provisions be issued to the prisoners in the eastern district, and that the salt provisions be reserved for the army of the United States for the next campaign.

*Resolved*,

*Resolved*, That general Washington be directed to apply to general Howe for passports to convey provisions and wood to the British and German troops quartered, agreeably to the convention of Saratoga, in the neighbourhood of Boston, and that he send such passports by express to general Heath.

*Resolved*, That the commissary general of issues be directed to preserve the flour barrels of the army, and send them by the return waggons to the mills from whence supplies of flour may be sent to the army; that he save the pork and beef barrels, and as much of the salt therein as can be collected, and that for this purpose he employ a suitable number of coopers, and inform Congress of his proceedings herein.

*Resolved*, That the committee to repair to Lancaster consist of three;

The members chosen Mr. Roberdeau, Mr. Dyer and Mr. Penn.

The committee of commerce, to whom was referred the proposals of Alexander Gillon, esquire, contained in his letter of the 20th instant, report,

That they have conferred with Mr. Gillon on the subject, and are of opinion, that a sum of money not exceeding two hundred and fifty thousand dollars should be advanced to the said Alexander Gillon, esquire, or his attorney, annually for three years, if the war with Great-Britain shall continue so long; the said advances to be made by this committee or such other as may hereafter be appointed to superintend the continental commerce, in such sums and at such periods as may be necessary for accomplishing purchases of suitable produce or other articles to be remitted to Europe.

That the said Alexander Gillon, esquire, or his attorneys shall purchase all the remittances they make, and charter or purchase ships suitable for transporting the same to Europe, on the best and most frugal terms in their power, and under such orders, restrictions and limitations as they may from time to time receive from the committee or board that superintend the continental commerce, who are to call for, examine and inspect the invoices and other accounts as often as they shall think necessary.

That the said Alexander Gillon shall forthwith repair to Europe, and purchase at proper places such cloathing, arms, ammunition and other articles as may from time to time be directed by the said committee or board of commerce, to the amount of the net proceeds of all the remittances he or his attorneys in Europe shall there receive from his attorneys in America, such

such articles to be brought on the best terms and shipped for these United States, in such ships or by such conveyances as may be most likely to arrive safe; the said Alexander Gillon to conform himself in the transaction of this business to the instructions he may receive from time to time from the committee or board of commerce, to which he is to give regular advice of all his proceedings :

That the customary mercantile commissions be allowed for purchasing and making remittances. and on the sale thereof in Europe and a commission of five per cent. on the purchase and exportation of all the articles ordered from Europe, the said commissions to be the only compensation or benefit the said Alexander Gillon or his attornies are to receive or derive to themselves from this business, being deemed fully equivalent to the services they are hereby required to perform :'' whereupon

*Resolved.* That the above report be accepted, and that the committee of commerce be authorised and directed to enter into a contract on behalf of the United States, with the said Alexander Gillon, esquire, agreeable to the tenor and terms thereof :

The yeas and nays on this question as follows :

New Hampshire,	Mr. Folsom,	no		no
Massachusetts-Bay,	Mr. Gerry,	no	}	no
	Mr. Lovell,	no		
	Mr. Dana,	no		
Rhode-Island,	Mr. Ellery,	no	}	no
	Mr. Dyer,	ay		
	Mr. Law,	no		
Connecticut,	Mr. Williams,	ay	}	ay
	Mr. Duane,	ay		
	Mr. Duer,	ay		
New-York,	Mr. Morris,	ay	}	ay
	Mr. Roberdeau,	no		
	Mr. Clingan,	no		
Pennsylvania,	Mr. Smith,	ay	}	ay
	Mr. Rumsey,	ay		
	Mr. Jones,	ay		
Maryland,	Mr. R. H. Lee,	no	}	divided.
	Mr. F. L. Lee,	no		
	Mr. Harvie,	ay		
Virginia,	Mr. Penn.	ay	}	ay
	Mr. Harnett,	ay		
	Mr. Laurens,	ay		
North Carolina,	Mr. Langworthy,	ay	}	ay
South-Carolina,				
Georgia,				

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, November 29, 1777.

A letter of the 16th from general Gates, with sundry papers inclosed; one of the 27th from J. Armstrong, aid de camp to general Gates, who brought the foregoing dispatches to Reading, and was there detained by sickness; and one of the 24th from W. Shippen, director general, at Bethlehem; were read:

*Ordered*, That a copy of general Gates's letter be sent to general Washington.

*Resolved*, That a committee of three be appointed to procure a translation to be made of the articles of confederation into the French language, and to report an address to the inhabitants of Canada, &c. &c.

The members chosen Mr. Duer, Mr. Lovell and Mr. F. L. Lee.

*Resolved*, That general Washington regulate the rank of major general Arnold, and brigadiers general Woodford and Scott, agreeably to the resolution of Congress of the 12th instant, confirming the principle adopted by the board of general officers on the 19th of August for settling the rank and precedence of officers, and that the commissions of those officers be called in and cancelled, and new commissions granted them in manner aforesaid.

*Resolved*, That the committee appointed to repair to the camp be instructed to intimate to general Washington that Congress are not willing to accept the resignation of colonel Spotswood.

*Ordered*, That Mr. Folsom have leave of absence for a few days for the recovery of his health.

The committee on the treasury brought in a report; whereupon

*Ordered*, That the following warrants be drawn on J. Gibson, esquire, auditor general, viz.

One in favor of colonel David Kennedy, for two thousand and sixteen dollars and 76-90ths, the amount of sundry provisions, wood, forage, &c. furnished the guards to the British prisoners in Virginia, and to the waggoners of the marching militia of the said state:

One in favor of colonel G. Morgan, for one thousand dollars, to be advanced to him for the boat department at fort Pitt.

The



The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, December 1, 1777.

A letter of the 26th of November from general Washington, inclosing a copy of a letter to him from general Howe, was read.

Congress having received information that general Howe, or general Burgoyne, by his direction, means to apply for leave to embark the troops surrendered by the convention of Saratoga at Rhode-Island or some part of the sound, which application, if made and complied with, may be attended with consequences highly injurious to the interest of these United States :

*Resolved*, That Mr. president inform general Gates, the council of Massachusetts-Bay, and major general Heath, that it is the resolution of Congress if any such application as before mentioned is made, that it be utterly rejected, and that the said troops, when they do embark, must be shipped from the port stipulated by the convention of Saratoga and no other.

*Resolved*, That general Washington be informed, it is highly agreeable to Congress that the marquis de la Fayette be appointed to the command of a division in the continental army.

*Resolved*, That the committee of commerce be directed to ship, with all dispatch, four thousand hogheads of tobacco to the commissioners of the United States at the court of France, to enable them to comply with the contract they mention in their letter of the 12th of March last to have entered into with the farmers general of France.

*Ordered*, That the letter of the 23d, and that of the 26th of November, from general Washington, and the letter of November 16th from general Gates, with the several papers inclosed, be referred to the board of war.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania, for twenty thousand dollars, in favor of John Gibson, esquire, auditor general, to enable him to discharge a part of a warrant of Congress drawn on him in favor of the executive council

council of the said state ; the said auditor general to be accountable :

That a warrant issue on the said Thomas Smith, esquire, in favor of doctor William Shippen, director general of the hospital, for fifty thousand dollars, for the use of his department ; the said director general to be accountable.

That a warrant issue on the treasurer for fifty thousand dollars, in favor of doctor William Shippen, director general of the hospital, for the use of his department, and for which he is to be accountable :

That two hundred thousand dollars be advanced to William Buchanan, esquire, commissary general of purchases, for the use of his department, for which he is to be accountable :

That ten thousand dollars be advanced to colonel Benjamin Flower, commissary general of military stores, for the use of his department, and for which he is to be accountable.

*Ordered*, That a warrant issue on John Gibson, esquire, auditor general, in favor of Thomas Taylor, adjutant to the Georgia battalion, commanded by colonel White, for eight hundred dollars, the state of Georgia to be accountable, and the money to be considered as part of that directed to be sent to the said state :

That the following warrants issue in favor of major general Miffling, quartermaster general, amounting to four hundred and fifty thousand dollars, for the use of his department, and for which he is to be accountable, viz.

One on Thomas Smith, esquire, commissioner of the loan office for the state of Pennsylvania, for one hundred thousand dollars :

One on Derk Ten Broek, esquire, commissioner of the loan office for the state of New-York, for one hundred and fifty thousand dollars :

One on Joseph Borden, esquire, commissioner of the loan office for the state of New-Jersey, for one hundred thousand dollars.

And one on the continental treasurer for one hundred thousand dollars.

*Ordered*, That a warrant issue on John Gibson, esquire, auditor general, in favor of Frederick M'Donald, a soldier discharged at his own request from the invalid regiment,

ment, for eight dollars and 80-90ths, being for one month and ten days pay due to him as per colonel Nicola's certificate; the said colonel Nicola to be accountable.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, December 2, 1777.

A letter of the 28th of November from the council of safety of Pennsylvania at Lancaster, with sundry papers inclosed, was read:

*Ordered*, That the same be referred to the board of war.

A motion being made for recommending to the states to call in all the paper money emitted by them respectively under the authority of the king of Great Britain; after debate,

*Resolved*, That the same be referred to a committee of four.

The members chosen, Mr. R. H. Lee, Mr. Dana, Mr. Duer and Mr. Duane.

The committee appointed to procure a translation of the articles of confederation—to prepare an address to the inhabitants of Canada, brought in a partial report, which was read:

*Ordered*, That the consideration thereof be postponed to Monday next.

*Resolved*, That a commission be made out for John Adams, esquire, similar to that heretofore granted to the commissioners at the court of France.

A motion was made for obtaining a loan of money:

*Resolved*, That it be referred to a committee of three.

The members chosen, Mr. Folsom, Mr. Duane, and Mr. Dana.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, December 3, 1777.

A letter of November the 1st from Joseph Trumbull, esquire, at Providence, and one of November the 6th from major general Spencer, with a copy of a letter written by him to Joseph Trumbull, esquire, late commissary general, and Mr. Trumbull's answer; also a letter from general Spencer to governor Cooke, were read.

*Ordered*,

*Ordered,* That the letter from Mr. Trumbull, and such parts of general Spencer's letter as relate to money, and the correspondence between him and Mr. Trumbull, together with the letters that passed between them, be referred to the board of treasury.

That such part of general Spencer's letter as relates to the expedition to Rhode-Island, together with the copy of the letter to governor Cooke, be referred to the Committee appointed to report the mode of conducting an enquiry into the cause of the failure of that expedition.

The committees to whom were referred the motions of yesterday, brought in their reports, which were taken into consideration ; whereupon

Congress came to the following resolutions:

The quantity of paper money issued to defray the necessary expences of the war having at length become so considerable as to endanger its credit, and Congress apprehending that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan-offices so fast as the urgent calls of war demand ;

*Resolved,* That the commissioners at the courts of France and Spain be directed to exert their utmost endeavours to obtain by means most effectual to the end, a loan of two millions sterling, on the faith of the thirteen United States, for a term not less than ten years, with permission, if practicable, to pay the same sooner, if it shall be agreeable to these states, giving twelve months previous notice to the lender, of such intention to return the money, &c. &c.

Whereas it is the uniform practice of our enemies to pursue every measure which may tend to distract, divide and delude the inhabitants of these states ; to effect which purposes they have, among other arts, promoted associations for supporting the credit of the public money struck under the authority and sanction of the King of Great-Britain, which associations are evidently calculated to sap the confidence of the public in the continental bills of credit and in those issued by the authority of the respective states, and to furnish a medium for carrying on a pernicious and traiterous commerce between the enemy and the citizens of these states :

*Resolved,*



*Resolved*, That it be earnestly recommended to the legislative authorities of the respective states forthwith to enact laws, requiring all persons within their respective states, who may be possessed of any bills of credit struck under the sanction and authority of the King of Great-Britain, on or before the 19th of April 1775, forthwith to deliver in the same to a commissioner or commissioners for that purpose to be appointed in each county of the respective states; authorising such commissioner or commissioners to give in exchange for any sum so paid in, continental money or bills of credit of their respective states; and to declare in the laws so to be enacted, that all bills of credit, under the description above mentioned, which shall not be so delivered in, within such reasonable time as the respective states shall for such purpose limit, shall thenceforth become utterly irredeemable.

A representation from captain W. Peery, of Lewistown to the board of war, was laid before Congress and read; whereupon

Congress came to the following resolution:

Whereas the situation of the enemy's ships and forces, and the arts and number of the malignants in the county of Suffex in the state of Delaware, have rendered the operation of the civil authority there utterly ineffectual, whereby it has become not only essential to the preservation of the independency of that state, but likewise to the general welfare of the United States, that the most vigorous measures should be forthwith pursued for repressing the arts and violence of the open and secret enemies of these states.

*Resolved*, That the board of war be authorised to pursue such measures for supporting the friends of America in the county of Suffex in the state of Delaware, and for curbing the spirit and checking the evil designs of the disaffected, as they shall deem most effectual.

Whereas the baron de St. Ouary, a gallant gentleman from France, engaged as a volunteer in the service of the United States, was lately by the fortune of war made prisoner by the British troops.

*Resolved*, That general Washington be directed to propose to general Howe that the baron de St. Ouary be permitted to return from captivity, agreeably to the practice of Europe respecting volunteers: if general Howe shall refuse this, that it be proposed to take the baron's parole for his enlargement

largement, Congress engaging, when an exchange takes place, to return a British officer for the baron de St. Ouary : and that general Howe be informed, if neither of these propositions be accepted, that it is expected the gentleman be treated as a prisoner of war, having respect to his merit and rank in the French army.

The committee on the treasury brought in a report ; whereupon

*Ordered,* That the following warrants issue on John Gibson, esquire, auditor general, viz

One in favour of colonel George Morgan, for three thousand one hundred and thirty-four dollars and 86-90ths, advanced as the balance of his account for building boats, purchasing canoes, and carpenters wages, &c. at fort Pitt, exclusive of fifty-six pounds two shillings and ten pence half-penny, charged by Thomas Lawrence as a commission on goods purchased by him for the said service, and for paying carpenters wages ; which charge is reserved for consideration ; said colonel Morgan to be accountable :

One in favor of Thomas Butler, continental armourer, for eighteen hundred dollars, advanced for the use of his department, he to be accountable.

One in favor of captain W. Peery, advanced for the use of his independent company stationed at Lewistown ; said captain Peery to be accountable.

One in favor of colonel Thomas Polke, for two thousand three hundred and eighty seven dollars and 72-90ths, being the hire of two waggons and the purchase of one waggon and four horses, as appears by the certificate of Joseph Thornburgh, waggonmaster general, and Jacob Hiltzeimer, agent for waggons ; the said sum to be accounted for by major general Mifflin, quartermaster general.

*Ordered,* That a warrant issue on the commissioner of the continental loan office in the state of South-Carolina, in favor of colonel Thomas Polke, or his order, for six thousand two hundred and fifty dollars, borrowed from him by brigadier general Moore, and represented by the said brigadier Moore to have been lodged in the hand of William Kennon, for the use of the troops in the Southern department, as appears by a letter from the said brigadier to Congress, dated the 9th of February last, and a bill drawn by him on the continental treasurer in favour of colonel Polke,

Polke, for the said sum, which is to bear interest from the 7th of July last, when it was tendered for payment, and to be charged to the executors of the said brigadier general Moore, who are to be accountable.

*Resolved*, That one million of dollars be emitted under the direction of the treasury board and on the faith of the United States: that the bills shall, excepting the numbers, be of the same tenor and date as the emission directed on the 7th of November last, be numbered from the last number of each respective denomination of that emission progressively, and consist of the following denominations:

15,384 bills of 3 dollars

15,384 do. of 4 do.

15,384 do. of 5 do.

15,384 do. of 6 do.

15,384 do. of 7 do.

15,385 do. of 2 do.

15,385 do. of 8 do.

15,385 do. of 30 do.

That all powers and duties of Michael Hillegas, esquire, and of the inspectors of the press, signers and printers of the emission, directed on the 20th of May last, shall extend to the said one million to be emitted, subject however to such directions and instructions as the board of treasury may judge expedient.

*Resolved*, That three members be added to the board of treasury;

The members chosen Mr. Dana, Mr. Rumsey and Mr. Jones.

*Resolved*, That Mr. Dana be excused from attending the board of war, that he may attend the duties of the treasury board.

*Ordered*, That Mr. Law, Mr. Williams and Mr. Duane have leave of absence.

The committee for Indian affairs, to whom were referred a letter from the president of South-Carolina and sundry other papers, having taken the same into consideration, reported a speech to the Six Nations and instructions to the commissioners for Indian affairs in the Northern department, which were taken into consideration and agreed to as follows:

Brothers,

Sachems, and warriors of the Six Nations;

VOL. III.

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The

The great council of the United States call now for your attention. Open your ears, that you may hear, and your hearts that you may understand.

When the people on the other side of the great water, without any cause, fought our destruction and sent over their ships and their warriors to fight against us, and to take away our possessions, you might reasonably have expected us to ask for your assistance. If we are enslaved, you cannot be free. For our strength is greater than yours. If they would not spare their own brothers, of the same flesh and blood, would they spare you? If they burn our houses and ravage our lands, could yours be secure?

But, brothers, we acted on very different principles. Far from desiring you to hazard your lives in our quarrel, we advised you to sit still in ease and peace. We even entreated you to remain neuter: and under the shade of your trees and by the side of your streams to smoke your pipe in safety and contentment. Though pressed by our enemies, and when their ships obstructed our supplies of arms and powder and cloathing, we were not unmindful of your wants. Of what was necessary for our own use, we cheerfully spared you a part. More we should have done, had it been in our power

Brothers,

Cayugas, Senecas, Tuscororas and Mohawks:

Open your ears and hear our complaints. Why have you listened to the voice of our enemies? why have you suffered Sir John Johnson and Butler to mislead you? why have you assisted general St. Ledger and his warriors from the other side of the great water by giving them a free passage through your country to annoy us; which both you and we solemnly promised should not be defiled with blood? why have you suffered so many of your nations to join them in their cruel purposes? Is this a suitable return for our love and kindness, or did you suspect, that we were too weak or too cowardly to defend our country and join our enemies, that you might come in for a share of the plunder? what has been gained by this unprovoked treachery? what but shame and disgrace! your foolish warriors and their new allies have been defeated and driven back in every quarter; and many of them justly paid the price of their rashness with their lives. Sorry are we to find that our ancient chain of union, heretofore so strong and bright, should be broken by such poor and weak instruments



instruments as Sir John Johnson and Butler, who dare not shew their faces among their countrymen, and by St. Leger, a stranger whom you never knew! what are become of the spirit, the wisdom and the justice of your nations? is it possible that you should barter away your ancient glory, and break through the most solemn treaties for a few blankets or a little rum or powder? that trifles such as these should prove any temptation to you to cut down the strong tree of friendship, by our common ancestors planted in the deep bowels of the earth at Onondaga your central council fire! that tree which has been watered and nourished by their children until the branches had almost reached the skies! as well might we have expected, that the mole should overturn the vast mountains of the Alleghany, or that the birds of the air should drink up the waters of Ontario!

Brothers,

Cayugas, Senecas, Onondagas and Mohawks!

Look into your hearts and be attentive. Much are you to blame, and greatly have you wronged us. Be wise in time. Be sorry for and amend your faults. The great council, though the blood of our friends, who fell by your tomahawks at the German Flats, cries aloud against you, will yet be patient. We do not desire to destroy you. Long have we been at peace; and it is still our wish to bury the hatchet and wipe away the blood, which some of you have so unjustly shed. Till time should be no more, we wish to smoke with you the calumet of friendship around your central fire at Onondaga. But, Brothers, mark well what we now tell you. Let it sink deep as the bottom of the sea, and never be forgotten by you or your children. If ever again you take up the hatchet to strike us—if you join our enemies in battle or council—if you give them intelligence, or encourage or permit them to pass through your country to molest or hurt any of our people,—we shall look on you as our enemies, and treat you as the worst of enemies, who under a cloak of friendship cover your bad designs, and like the concealed adder only wait for an opportunity to wound us, when we are most unprepared,

Brothers,

Believe us who never deceive. If after all our good council and all our care to prevent it, we must take up the hatchet,

the

the blood to be shed will lie heavy on your heads. The hand of the Thirteen United States is not short. It will reach to the farthest extent of the country of the Six Nations; and while we have right on our side, the good spirit, whom we serve, will enable us to punish you and put it out of your power to do us farther mischief.

Brothers, Oneidas and Tuscororas,

Hearken to what we have to say to you in particular: It rejoices our hearts, that we have no reason to reproach you in common with the rest of the Six Nations. We have experienced your love, strong as the oak, and your fidelity, unchangeable as truth. You have kept fast hold of the ancient covenant chain and preserved it free from rust and decay, and bright as silver. Like brave men, for glory you despised danger—you stood forth, in the cause of your friends, and ventured your lives in our battles. While the sun and moon continue to give light to the world, we shall love and respect you. As our trusty friends we shall protect you; and shall at all times consider your welfare as our own.

Brothers of the Six Nations,

Open your ears and listen attentively. It is long ago that we explained to you our quarrel with the people on the other side of the great water. Remember that our cause is just; you and your forefathers have long seen us allied to those people in friendship. By our labour and industry they flourished like the trees of the forest and became exceedingly rich and proud. At length nothing would satisfy them, unless like slaves we would give them the power over our whole substance. Because we would not yield to such a shameful bondage, they took up the hatchet. You have seen them covering our coasts with their ships, and a part of our country with their warriors: but you have not seen us dismayed; on the contrary you know, that we have stood firm like rocks and fought like men, who deserved to be free. You know that we have defeated St. Ledger and conquered Burgoyne and all their warriors. Our chief men and our warriors are now fighting against the rest of our enemies, and we trust that the good spirit will soon put them in our power, or enable us to drive them all far beyond the great waters.

Brothers,

Believe us that they feel their own weakness and that they are unable to subdue the Thirteen United States. Else why have

have they not left our Indian brethren in peace as they first promised and we wished to have done. Why have they endeavoured by cunning speeches, by falshood and misrepresentations, by strong drink and presents to embitter the minds and darken the understandings of all our Indian friends on this great continent from the north to the south, and to engage them to take up the hatchet against us, without any provocation? The Cherokees, like some of you, were prevailed upon to strike our people. We carried the war into their country and fought them. They saw their error, they repented, and we forgave them. The United States are kind and merciful, and wish for peace with all the world. We have therefore renewed our ancient covenant chain with that nation.

Brothers,

The Shawanese and Delawares give us daily proofs of their good disposition and their attachment to us; and are ready to assist us against all our enemies. The Chickasaws are among the number of our faithful friends. And the Choctaws though remote from us, have refused to listen to the persuasions of our enemies, rejected all their offers of corruption, and continue peaceable. The Creeks are also our steady friends. Oboylaco their great chief, and the rest of the sachems and warriors, as the strongest mark of their sincere friendship, have presented the Great Council with an eagle's tail and rattle trap. They have desired that these tokens might be shewn to the Six Nations and their allies, to convince them that the Creeks are at peace with the United States. We therefore have directed our commissioners to deliver them into your hands. Let them be seen by all the nations in your alliance, and preserved in your central council house at Onondaga.

Brothers,

Sachems and Warriors of the Six nations!

Hearken to our council. Let us who are born on the same great continent, love one another. Our interest is the same, and we ought to be one people, always ready to assist and serve each other. What are the people who belong to the other side of the great water to either of us? they never come here for our sakes; but to gratify their own pride and avarice. Their business now is to kill and destroy our inhabitants, to lay waste our houses and farms. The day we trust will soon arrive, when we shall be rid of them forever. Now is the time to hasten and secure this happy event. Let us then from this moment join hand and heart in the defence of our common country. Let us rise as one man and drive away our cruel oppressors. Henceforward let none be able to separate

us. If any of our people injure you, acquaint us of it and you may depend upon full satisfaction. If any of yours hurt us, be you ready to repair the wrong or punish the aggressor. Above all shut your ears against liars and deceivers, who like false meteors strive to lead you astray and to set us at variance. Believe no evil of us till you have taken pains to discover the truth. Our council fire always burns clear and bright in Pennsylvania. Our commissioners and agents are near your country. We shall not be blinded by false reports or false apperances.

Brothers,

What may be farther necessary at this time for our common good, you will learn from our commissioners, who sit round our council fire at Albany. Hear what they say, and treasure it up in your hearts. Farewell.

From our Great Council Fire in Pennsylvania the 3d day of December, 1777. By order of Congress.

#### INSTRUCTIONS to the commissioners for Indian affairs in the Northern department.

The glorious successes of our arms in the North, and the severe chastisement which the unfriendly Indians have received, will dispose the Six Nations to dread our resentment, and to value our protection. While they are under these impressions will be the proper season to urge them to some decisive enterprize, which will effectually tie them to our cause and promote the public service.

Congress have therefore sent them a speech, which is to be communicated to the different nations, and their feelings upon it attentively watched; and every possible advantage derived to the states from favorable circumstances.

Congress have at present two great objects in view from their assistance, &c. &c.

The several matters to this day referred being postponed, adjourned to 10 o'clock to-morrow.

THURSDAY, December 4, 1777.

A letter of the 30th of November from J. Reed, esquire, was read, wherein he expresses his desire of being excused from the office of commissioner to the western frontiers:

*Resolved*, That he be excused.

A letter of the 1st from general Washington, and one of the same date from brigadier general Varnum, were read:

*Ordered*, That they be referred to a committee of five;

The



The members chosen, Mr. R. H. Lee, Mr. Duer, Mr. Dana, Mr. Duane and Mr. Harvie.

*Ordered*, That the report of the board of treasury on the regulations for the payment of the army, be referred to the new board of war.

The board of war brought in a report ; whereupon Congress came to the following resolution :

Whereas experience hath evinced that the laws which have been enacted in the state of Pennsylvania, permitting the furnishing of substitutes to perform militia duty, have not only tended to impede the march of the militia on critical occasions, but likewise to impede the recruiting service, and to encourage desertions from the continental army :

*Resolved*, That it be submitted to the consideration of the legislature of the commonwealth of Pennsylvania, forthwith to repeal the clause in the said laws which permits the hiring of substitutes to perform militia duty ; and in lieu thereof to impose and lay such fines on those persons who neglect or refuse to march when called forth on duty, as the said legislature shall deem adequate to personal service ; the fines so levied to be appropriated as a fund for granting such additional bounties to continental recruits as the legislature may deem expedient, in order to compleat the deficiencies in their quota of continental troops.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That a warrant issue on John Gibson, esquire, auditor general, in favor of Michael Hillegas, esquire, for three hundred and eighty dollars, being for cash he advanced to lieutenant Allen, and the price of a horse and chair to convey three hundred thousand dollars to North-Carolina in July last ; the same to be accounted for by the state of North-Carolina, and to be considered as a part of the five hundred thousand dollars appropriated for the use of that state.

That a warrant issue on John Gibson, esquire, auditor general, in favor of lieutenant John Allen, for ninety dollars and 60-90ths, the balance of his expences to and from North-Carolina with three hundred thousand dollars to that state in July last ; the state to be accountable, and the sum to be considered as a part of the five hundred thousand dollars ordered to that state.

That a warrant issue on John Gibson, esquire, auditor general, in favour of John Brown, for his services as clerk to the secret committee from March 18th, 1776, to July 21st, 1777, at fifty dollars a month, eight hundred and five dollars.

A memorial

A memorial from John Connolly, a prisoner in York-Town gaol, was read :

*Ordered*, That it be dismissed.

*Resolved*, That it be earnestly recommended to the legislatures of the states of New-Hampshire, Massachusetts-Bay, Connecticut and New York, to take effectual measures for the preservation of all pine timber growing within their respective territories, which may be suitable and useful for masts or other purposes of navigation, and for preventing any waste or destruction of that valuable kind of timber.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

FRIDAY, December 5, 1777.

Mr. Francis Lewis, a delegate from New-York, attended and took his seat.

A letter the 25th of November from general Gates at Albany, with sundry papers inclosed relative to the enemy's retreat from Ticonderoga and Mount Independence, was read :

*Ordered*, That the same be referred to the committee of intelligence.

A letter of the 26th of November from Captain John Barry, was read, inclosing the proceedings of a court-martial held on board the ship Lyon the 25th of November :

*Ordered*, That the same be referred to the marine committee.

A motion being made and for some time debated,

*Ordered*, That the same be referred to a committee of three.

The members chosen Mr. Dana, Mr. Duer and Mr. Harvie.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That fifty thousand dollars be paid to James Mease, esquire, cloathier general, for the use of his department ; and

That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office for the state of Pennsylvania, in favor of James Mease, esquire, cloathier general, for twenty thousand dollars, for the use of his department, for both which sums he is to be accountable.

*Ordered*, That twenty-four hundred dollars be paid to captain William Peery, for recruiting and paying an independent company to be stationed at Lewistown, agreeable to the determination of the board of war ; captain Peery to be accountable.

*Ordered*, That that a warrant issue on Nathaniel Appleton, esquire, commissioner of the loan-office for the state of Massachusetts-

Massachusetts Bay, in favor of the marine committee, for fifty thousand dollars, to be transmitted to the navy board at Boston; the said marine committee to be accountable:

That a warrant issue on Joseph Clarke, esquire, commissioner of the loan-office for the state of Rhode-Island, in favor of the marine committee, for fifty thousand dollars, to be transmitted to the navy board at Boston; the said committee to be accountable.

*Ordered*, That eighty-four dollars and 48-90ths be paid to Martin Breniery, door-keeper, for his attendance from October the 4th to December the 1st, and for cleaning the rooms, &c.

That one thousand and ninety-four dollars be paid to Robert Towers, for his services acting as commissary of military stores and continental armourer from November the 19th, 1775, to May the 19th, 1777, agreeable to a resolution of Congress, passed the 18th of September last.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

SATURDAY, December 6, 1777.

A memorial from baron de Fry was read;

*Ordered*, That the consideration thereof be postponed.

The board of war brought in a report, which was read, and after debate,

*Ordered*, That the further consideration thereof be postponed to Monday.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, December 8, 1777.

A letter of the 6th from general Steven was read.

A letter from the chevalier de Faily, with a letter in his favor from general Gates; also a petition from Michael Welsh; were read;

*Ordered*, That these be referred to the board of war.

Sundry intercepted letters from Owen Jones, junior, to sundry persons at Lancaster, were laid before Congress:

*Ordered*, That they be referred to a committee of three;

The members chosen Mr. Ellery, Mr. Duer and Mr. Harvie.

Whereas it is of the greatest importance that Congress should at this critical juncture be well informed of the state



of Europe; and whereas Congress have resolved that the honorable Silas Deane, esquire, be recalled from the court of France, and have appointed another commissioner to supply his place there:

*Ordered*, That the committee for foreign affairs write to the honorable Silas Deane, esquire, and direct him to embrace the first opportunity of returning to America, and upon his arrival to repair with all possible dispatch to Congress.

Congress resumed the consideration of the report from the board of war; whereupon

*Resolved*, That general Washington be informed, that general Howe's answer to his letter of the 14th and 23d of November, remonstrating against the inhuman treatment of the American prisoners, is in the opinion of Congress by no means explicit and satisfactory; since it does not invalidate the truth of the depositions of Joseph Cloyd and William Dewees, citizens of the commonwealth of Pennsylvania, and strongly implies general Howe's intentions of making a distinction in treatment between persons taken in arms and the faithful and liege citizens of these states, who by stratagem or the fortune of war may fall into his power—an intention not only subversive of the principles of humanity, but inconsistent with the spirit of general Howe's former sentiments on the subject, as expressed in his letter dated Staten-Island, August the 1st 1776, viz. “wishing sincerely to give relief to the distressed of all prisoners, I shall readily consent to the mode of exchange you are pleased to propose, viz. officers for officers of equal rank—soldier for soldier—citizen for citizen,—the choice to be made by the respective commanders for their own officers and men.”

It was then moved “that general Washington be directed to demand of general Howe a speedy and explicit explanation of the line of conduct which he hath adopted and means to observe in future to such persons, whether officers, soldiers or citizens of these states, as may be subjected to his power.”

On motion resolved, That the consideration thereof be postponed to Monday next:

New-Hampshire,	Mr. Folsom,	ay } ay
Massachusetts-Bay,	Mr. Lovell,	ay } ay
	Mr. Dana,	ay } ay
Rhode-Island,	Mr. Ellery,	ay } ay
		Connecticut,



Connecticut,	Mr. Dyer,	ay	} ay
New-York,	Mr. Duer,	no	} no
	Mr. Lewis,	no	} no
Pennsylvania,	Mr. Roberdeau,	ay	} ay
Maryland,	Mr. Rumsey,	no	} *
Virginia,	Mr. F. L. Lee,	no	} *
	Mr. Harvie,	ay	} no
North-Carolina,	Mr. Harnett,	no	} no
South-Carolina,	Mr. Laurens,	no	} no
Georgia,	Mr. Langworthy,	no	} no

The committee appointed to repair to Lancaster, to confer with the general assembly of Pennsylvania, report, that they have executed the business committed to them, and beg leave to refer Congress to the resolves of the said assembly, passed the 2d and 6th instant, accompanying this report—that they have dispatched an express to governor Clinton to be informed whether the salt ordered to be sent to the North river is arrived there, in order to regulate the movements of the waggons to bring it forward.”

*Resolved*, That a committee of five be appointed to take into consideration the state of those counties in the states of Pennsylvania, New-Jersey and Delaware, which border on the enemy, or are in the neighbourhood of general Washington's army, and report the most effectual and vigorous measures for subsisting the army under the command of general Washington, and distressing that of the enemy ;

The members chosen Mr. Duer, Mr. Ellery, Mr. Dana, Mr. F. L. Lee and Mr. Dyer.

A letter from the viscount de Mauroy at Boston, and one of the 6th from the committee at camp, were read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, December 9, 1777.

An application from Mrs. Dugan, and a bill of exchange drawn by Abraham Livingston in behalf of himself and William Turnbull, at Boston, the 17th of June 1777, in favor of captain Pierre de Campe, were laid before Congress :

*Ordered*, That they be referred to the board of treasury.

The board of war laid before Congress a correspondence that passed between them and the supreme executive council of

of Pennsylvania, relative to the supplying the hospital and army with blankets and cloathing; whereupon

*Resolved*, That the legislature of the commonwealth of Pennsylvania be informed, that in the opinion of Congress the means which have been pursued in consequence of the ordinance of the council of safety of the 8th of November 1777, have by no means been adequate to the laudable design the council had in view :

That the situation of the army and of the hospitals for want of blankets and other cloathing is really deplorable, and if not speedily remedied, must be attended with the most prejudicial consequences not only to this state but to the general interest :

That Congress therefore submit to the assembly of the state of Pennsylvania, whether under these critical, distressing circumstances, it would not be adviseable to vest the continental board of war, or such persons as the said board may for that purpose appoint, with full powers to collect cloathing, blankets, &c. agreeably to the restrictions in the ordinance of council of November the 8th 1777.

*Ordered*, That the board of war transmit the foregoing resolution to the legislature aforesaid.

A motion being made to recommend it to sundry states to offer pardons and give encouragement to such of the members of their respective states as they judge proper, who, having joined the enemy, are willing to return to their allegiance :

*Ordered*, That it be referred to a committee of four.

The members chosen, Mr. Dana, Mr. Roberdeau, Mr. Duer and Mr. Dyer.

The committee to whom were referred the intercepted letters from Owen Jones, junior, to sundry persons at Lancaster, brought in a report, and desired leave to sit again :

Congress took into consideration the report ; whereupon

*Resolved*, That the letters from Owen Jones, junior, a prisoner of the commonwealth of Pennsylvania, and confined at Winchester in Virginia, to sundry persons at Lancaster, be transmitted by the board of war to the president of the supreme executive council of the state of Pennsylvania ; and that it be recommended to the executive authority of the said

said state to take such measures on the premises as they in their wisdom shall deem meet.

*Ordered*, That the committee have leave to sit again.

*Resolved*, That the president write letters to the several states of Connecticut, New-York, Pennsylvania, Maryland and South-Carolina, representing to them the great and important matters to be transacted in Congress during the winter, and the few members now attending, and that he request them to send forward without delay an additional number of members.

That he also write in pressing terms to the states of New-Jersey and Delaware, who are unrepresented, to send delegates immediately to Congress.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, December 10, 1777.

A petition from Christopher junior and Charles Marshall was read:

*Ordered*, That it be referred to the board of treasury.

The committee to whom it was referred to take into consideration the state of those counties in Pennsylvania, New-Jersey and Delaware, which border on the enemy, &c. brought in a report, which was taken into consideration and agreed to as follows:

*Resolved*, That general Washington be informed, that Congress have observed with deep concern that the principal supplies for the army under his command have, since the loss of Philadelphia, been drawn from distant quarters, whereby great expence has accrued to the public, the army has been irregularly and scantily supplied, and the established magazines greatly reduced, while large quantities of stock, provision and forage, are still remaining in the counties of Philadelphia, Bucks and Chester, which by the fortune of war may be soon subjected to the power of the enemy.

That Congress, firmly persuaded of general Washington's zeal and attachment to the interest of these states, can only impute his forbearance in exercising the powers vested in him by Congress, by their resolution of the 17th of September and the 14th of November, to a delicacy in exerting military authority on the citizens of these states—a delicacy, which though highly laudable in general, may on critical exigencies

exigencies prove destructive to the army and prejudicial to the general liberties of America :

That from these considerations it is the desire and expectation of Congress, that general Washington should for the future endeavour as much as possible to subsist his army from such parts of the country as are in its vicinity, and especially from such quarters as he shall deem most likely to be subjected to the power or depredations of the enemy ; and that he issue orders for such purpose to the commissaries and quartermasters belonging to the army.

That general Washington be directed to order every kind of stock and provisions in the country above mentioned, which may be beneficial to the army or serviceable to the enemy, to be taken from all persons without distinction, leaving such quantities only as he shall judge necessary for the maintenance of their families ; the stock and provisions so taken to be removed to places of security under the care of proper persons to be appointed for that purpose ; and that he issue a proclamation, requiring all persons within seventy miles of head-quarters forthwith to thresh out their grain within such limited periods of time as he shall deem reasonable, on penalty, in case of failure, of having the same seized by the commissaries and quartermasters of the army and paid for as straw.

That general Washington be directed to cause all provisions, stock, forage, waggons and teams which may be, at any time, in the route of the enemy, and which cannot be seasonably removed, to be destroyed.

Whereas it is essentially necessary that magazines should be seasonably provided in the interior parts of the country, and many inhabitants, through motives of avarice or disaffection, refuse to thresh out their grain ;

*Resolved*, That it be earnestly recommended to the legislature of the commonwealth of Pennsylvania forthwith to enact a law requiring all persons within their state, at the distance of seventy miles and upwards from general Washington's head quarters and below the Blue Mountains, to thresh their wheat and other grain within as short a period of time as the said legislature shall deem sufficient for the purpose ; and in case of failure to subject the same to seizure by the commissaries and quartermasters of the American army, to be paid for at the price of straw only, excepting from such  
penalty



penalty such families only as, from the absence of the master, sons or servants in the service of their country, can give good proof that their compliance with the said law was not practicable.

*Resolved*, That a member be added to the committee on appeals.

The member chosen Mr. Rumsey.

*Resolved*, That two members be added to the medical committee ;

The members chosen Mr. Lewis and Mr. Penn.

Congress having received information that the inoculation of recruits in the hospital in the state of Virginia has of late been attended with much ill success ;

*Ordered*, That the medical committee make strict enquiry into the truth of this information, and report to Congress with all possible dispatch.

*Ordered*, That to-morrow morning a commissioner be elected to proceed to the western frontiers in the room of colonel J. Reed.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That one hundred and forty-four dollars be paid to Mr. Lotbinier, a Canadian chaplain, for his pay and rations from September 10th to December 10th instant :

That one thousand dollars be paid to captain Martin Pfister, for the use of his own, captain Ash's and captain Medici's troops of North-Carolina light horse ; the said captain Pfister to be accountable.

That two thousand dollars be advanced to the delegates of Georgia, viz. fifteen hundred on the application of Mr. Wood, and five hundred on the application of Mr. Langworthy, two of the delegates of the said state ; and that the same be considered as a part of the three hundred thousand dollars appropriated for the use of the said state.

That a warrant issue on Thomas Smith, esquire, commissioner of the loan-office in the state of Pennsylvania, in favor of James Mease, esquire, cloathier general, for twelve thousand dollars, advanced him towards the payment of cloathing purchased by Mr. Zantzinger for the use of brigadier Wayne's division ; the said cloathier general to be accountable ;

That one thousand eight hundred and forty-two dollars be advanced to John Brown, in discharge of John Ashe's  
four

four drafts, dated in the state of North-Carolina, March the 15th 1777, in favor of John Fragneau ; one for four hundred and ten, one for four hundred and twenty-two, one for five hundred, and one for five hundred and ten ; the said state to be accountable, and that the same be considered as a part of the five hundred thousand dollars heretofore ordered for the use of that state.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

THURSDAY, *December 11, 1777.*

Mr. A. Clark, a delegate from New-Jersey, attended and produced the credentials of his appointment, which were read as follows :

“ At a joint meeting of the legislative council and general assembly of the state of New-Jersey, held at Princeton, on the 20th day of November, 1777. The joint meeting proceeded to the election of five delegates to represent the state in the general Congress of the United States, and the ballots being taken, the honorable John Witherspoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, esquires, were duly elected.

*Resolved* therefore, That the said John Witherspoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder, and Elias Boudinot, or any one or more of them, be empowered to represent and vote in behalf of this state, in the general Congress of the United States of North-America, until the first day of December which will be in the year of our Lord one thousand seven hundred and seventy-eight, unless a new appointment shall sooner take place. It is nevertheless expected, that three of the said delegates do constantly attend Congress, unless prevented by sickness or other accident. By order of the joint meeting, John Stevens, chairman. Attested, Charles Pettit, secretary.”

According to the order of the day Congress proceeded to the election of a commissioner to go to fort Pitt in the room of colonel J. Reed who is excused, and the ballots being taken, George Clymer, esquire, was elected.

The board of war report, “ that in their opinion the public interest will be promoted by erecting in the town of York, temporary barracks or sheds sufficient for containing six hundred men, for the purpose of accommodating such recruits and other troops as may be from time to time stationed or detained at the said place, either as guards or for the purpose of equipment and discipline :” whereupon

*Resolved,*

*Resolved*, That the board of war be directed to cause the said barracks or sheds to be erected, with all possible dispatch, and in the most reasonable manner they can devise.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That eighty-four dollars be paid to William Hurrie, for his attendance as door-keeper to Congress from the 1st of August to the 19th of September, and nursing wounded soldiers, &c.

The committee appointed to report a mode of conducting an enquiry into the causes of the failure of the expedition against Rhode Island, and into the conduct of the general officers conducting such expedition, brought in a report ; whereupon

*Resolved*, That five commissioners be appointed, and that they or any three of them be empowered to conduct the enquiry ; that they meet for that purpose on the first Monday in February next at Providence in the state of Rhode-Island and Providence plantations ; that they summon before them the commanding officer and all the general officers concerned in the conduct of the said expedition, and such other officers and persons as they may think proper :

That the mode of their enquiry be by question and answer :

That they enquire what number of troops were assembled for the expedition ; what number of continental troops of sixteen months men, of militia, of volunteers, of artilleryists or train, and what was the quantity and species of ordnance and ordnance stores, whether any extra militia were called forth, when, why, and for what time ; what number of them did appear at the posts in arms, and when they were dismissed ; how long before the time fixed for their rendezvous the commander in chief had knowledge of the number of troops to be employed in the expedition ; whether the necessary preparations were made for a descent on Rhode-Island, previous to the time of rendezvous, or at any time afterwards ; and what those preparations were : when they were in readiness for an attack ; and if at any time they were ready, why the attack was postponed from day to day, until the time expired for which the militia were ordered out . and the particular reasons, why it was each day postponed : what was the force of the enemy on Rhode-Island during the time the expedition aforesaid was on foot :

That they enquire whether any councils of war were held during the said time, and whether their proceedings and determinations were committed to writing, and if they were,

that they require the commanding officer to lay the same before them :

That they enquire, what was the quantity of provisions expended during the time the troops were assembled for carrying on the expedition ; what proportion of the provisions was salted and from what magazines supplied : and if any and what quantity of fresh provisions might have been obtained for the use of the army under the command of general Spencer :

That they ask all such further questions and make such further enquiries by correspondence or otherwise as they may think will tend to discover the causes of the failure of the said expedition ; and that they report to Congress the questions asked and the answers made, and also a copy of the proceedings and determinations of any and all councils of war that were held during the time aforesaid, together with the opinions of each member of such council upon matters proposed and debated, if practicable to be obtained, and of all other papers that may be laid before them or which they otherwise procure respecting the said expedition.

Congress proceeded to the election of commissioners, and the ballots being taken, William Whipple, esquire, of New-Hampshire, R. T. Paine, esquire, of Massachusetts-Bay, Egbert Benson, esquire, of New-York, Oliver Ellsworth, esquire, of Connecticut and Henry Marchant, esquire, of Rhode-Island, were elected.

*Resolved.* That a committee of three be appointed to take into consideration the case of the officers whether of continental forces, flying camp or militia, taken prisoner by the enemy and released on parole, and report whether any or what allowance of pay and rations ought to be made them :

The members chosen Mr. Dyer, Mr. Clark and Mr. Ellery.

The delegates from New-Hampshire laid before Congress an account of the expences incurred by that state for prisoners brought into the same, and also a state of the exchange of prisoners :

*Ordered,* That the account of expences be referred to the board of treasury, and the state of the exchange to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to morrow.

FRIDAY, December 12, 1777.

A letter of the 27th of November from Joseph Trumbull, late commissary general ; one of the 1st of December from governor Trumbull ; one of the 19th, one of the 27th, and one of



of the 30th of November, and one of the 1st of December from general Heath, inclosing copies of letters that passed between him and general Burgoyne; a letter from S. Clap of New-Hampshire, and two petitions from prisoners of war in that state; also a letter of the 26th and one of the 29th of November from S. A. Otis, deputy cloathier general at Boston were read:

*Ordered*, That the letter from governor Trumbull be referred to the board of treasury:

That the letters from general Heath, with the papers inclosed, be referred to the board of war:

That so much of Mr. Otis's letter as relates to money be referred to the board of treasury; and the remainder to a committee of three;

The committee chosen Mr. Dana, Mr. Duer and Mr. F. L. Lee.

A letter of this day from Mr. president Laurens was read, informing that "the malady under which he labours has made such a progress as to convince him by reflecting upon former attacks, that he will not be able to move out of the house, nor attend his duty in Congress for some weeks to come; and informing that there is much business upon his table, which it is not in his power to give dispatch to—that every day will accumulate the heap, business will be impeded, and some branches run into confusion—and therefore humbly moving Congress to proceed to the choice of a president, as an act of propriety and necessity:"

*Ordered*, That the consideration thereof be postponed till to-morrow.

A letter from Mr. Colt; and one from Mr. Champion, to William Buchanan, esquire, commissary general of purchases, also one from Mr. Buchanan to Mr. Roberdeau, were laid before Congress and read:

*Ordered*, That they be referred to the committee on the letter from Mr. Otis.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

SATURDAY, December 13, 1777.

A letter of the 10th from general Washington at White Marsh was read.

Mr. Smith, a member of the committee of commerce, informed Congress, that in pursuance of the orders of Congress

gress the committee have entered into an agreement with Mr. Gillon and that he is desirous of having a draft on the loan-office for the state of South-Carolina for the first year's advance; whereupon

*Ordered,* That a warrant issue on the commissioner of the loan-office in the state of South-Carolina for the sum of one hundred and twenty-five thousand dollars, in favor of Alexander Gillon, esquire, to enable him to execute the contract entered into with the committee of commerce; and that the said sum be charged to the said committee, which is to be accountable.

*Resolved,* That three members be added to the committee of commerce;

The members chosen Mr. Lewis, Mr. Ellery and Mr. Harnett.

The board of war, to whom were referred the letters from brigadier Conway, brought in a report, which was taken into consideration; whereupon

*Resolved,* As the opinion of this Congress. That it is essential to the promotion of discipline in the American army, and to the reformation of the various abuses, which prevail in the different departments, that an appointment be made of inspectors general, agreeable to the practice of the best disciplined European armies;

*Resolved,* That this appointment be conferred on experienced and vigilant general officers; who are acquainted with whatever relates to the general economy, manœuvres and discipline of a well regulated army.

*Resolved,* That the duties of these officers be as follows:

To review from time to time the troops, and to see that every officer and soldier be instructed in the exercise and manœuvres, which may be established by the board of war: that the rules of discipline be strictly observed, and that the officers command their soldiers properly and do them justice.

*Resolved,* That the inspectors general respectively shall give notice to the commanders of regiments, of the time which shall be fixed on for such reviews, who are to prepare the following returns, models of which are previously to be furnished by the inspector, viz.

A return of cloathing;

A return of arms and accoutrements;

A return of recruits, with an account of the money laid out for that purpose;

A return of the number and names of the wounded men, distinguishing such as are fit for the corps of invalids, and such as are totally unfit for service ;

A return of the loss sustained in the regiment by death, desertion or otherwise ;

A return of the pay and rations drawn by each regiment ;

A return of all the officers of each regiment, with observations upon the behaviour, capacity and assiduity of every individual.

All the returns, when signed by the field officers of each regiment, are to be carefully scrutinized by the inspector general, who, after having made and added his remarks upon the same, is to sign and transmit them to Congress.

*Resolved*, That the inspectors general shall make these reviews in the beginning and at the latter end of every campaign, and at such other times as the commander in chief shall direct, or as they themselves shall severally judge proper or shall receive orders for that purpose from the board of war, first giving notice thereof to the commander in chief and obtaining his leave for reviewing the said troops.

*Resolved*, That the inspectors general respectively shall make this review minutely man by man, attending to the complaints and representations of both soldier and officer, and transmitting to Congress what petitions and grievances he shall think worthy of notice: that not solely depending upon the accounts and characters of officers as given him by the colonels of regiments, the inspectors general shall examine the said officers in person, direct them to command different manœuvres, and to take such measures as shall enable him to give an exact account to Congress

*Resolved*, That these reviews when closed be transmitted to Congress by the inspector general making the review, who is to furnish the major of the respective regiments with a copy of the same, and to keep another for his own government and assistance in proceeding to the next review.

*Resolved*, That the inspectors general shall examine from time the pay books of the respective regiments, which are to be kept in an uniform manner, agreeable to such regulations as may be established for that purpose, giving immediate

mediate notice to Congress of any mal-versation or mismanagement, which he may discover.

*Resolved*, That it be referred to the commissioners of the war-office to report such further regulations for this office, as they shall deem calculated to extend its utility, and to promote the end of its institution

*Resolved*, That two inspectors general be now appointed.

Congress proceeded to the election, and the ballots being taken,

Brigadier T. Conway was elected.

*Resolved*, That the election of the other inspector be postponed to Monday next.

*Ordered* That another major general be appointed in the army of the United States :

The ballots being taken,

Brigadier T. Conway was elected.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

#### M O N D A Y, December 15, 1777.

A letter of the 5th from B. Harrison, esquire, deputy paymaster general in Virginia, and one of the same date from W. Finnie, esquire, deputy quartermaster general, directed to the board of war, were laid before Congress.

*Ordered*, That they be referred to the board of treasury.

The secretary informed Congress that Mr Clymer accepted the appointment of commissioner, and would proceed to fort Pitt as soon as he could get ready.

*Ordered*, That the state of Pennsylvania be informed of Mr. Clymer's appointment and acceptance.

The committee on the treasury brought in a report ; whereupon

*Ordered*, That six thousand eight hundred and seven dollars be advanced to the delegates of Georgia, to enable them to discharge the demands on them from the said state for that sum, which is to be considered as a part of the money appropriated for the use of the said state, which is to be accountable.

The board of treasury laid before Congress a letter of November the 24th, directed to them, from general Heath, which was read :

*Ordered*



*Ordered*, That it be referred to a committee of five, and that they be directed to enquire into the rise of the expedition against Rhode-Island ;

The members chosen Mr. Dyer, Mr. Ellery, Mr. Dana, Mr. Lovell and Mr. Harvie.

Mr. Roberdeau, a delegate from Pennsylvania, laid before Congress credentials of the appointment of delegates from that state, which were read as follows :

(L. S.) “ In the name and by the authority of the commonwealth of Pennsylvania, the supreme executive council of the said state to all whom it may concern sendeth, greeting :  
*Tho. Wharton,*  
*President.*  
 Whereas the general assembly of representatives of the freemen of Pennsylvania have elected doctor Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York-Town, William Clingan, and Joseph Reed, esquires, to represent this state in Congress, and hath made the same known to this council : these are therefore to certify that the said doctor Benjamin Franklin, Robert Morris, Daniel Roberdeau, Jonathan Bayard Smith, James Smith, of York-Town, William Clingan and Joseph Reed, esquires, are appointed and authorised to represent the freemen of the state of Pennsylvania in the Congress of the United States of America.

Given under the seal of the commonwealth, at Lancaster, on this thirteenth day of December, in the year of our Lord one thousand seven hundred and seventy seven.

Attest T. MATLACK, Secretary.

Congress having received information that large quantities of cattle have been driven upon the marshes of the county of Kent in the state of Delaware, and into other parts of the said county, which are exposed to the depredations of the enemy ; and the present situation of the state of Delaware, with respect to its internal and open enemies, rendering it impracticable that any measures which may be devised by the government of the said state, for removing the said stock, can be executed with secrecy and dispatch

*Resolved*, That the board of war be authorised and directed to give such orders for securing the said stock as they shall deem most effectual :

That the owners of the stock so removed be paid for the same at reasonable rates.

Congress

Congress took into consideration a report from the board of war, and after some time spent thereon,

*Resolved*, That the farther consideration thereof be postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T U E S D A Y, *December 16, 1777.*

James Smith of York-Town, a delegate from Pennsylvania, attended and took his seat in Congress.

A letter from Edward Kennedy, an inhabitant of Providence, one of the Bahama Islands, dated at Bolton, October the 28th, was laid before Congress, with samples of green indigo, a new manufacture discovered by him :

*Ordered*, That the same be referred to the Delegates of South Carolina and Georgia.

A memorial from Ephraim Marsh, of Elizabeth Town, with an account inclosed, was laid before Congress and read :

*Ordered*, That it be referred to the board of treasury.

*Ordered*, That colonel Rawlins attend Congress to-morrow morning at eleven o'clock, to give such information as has come to his knowledge respecting the treatment our prisoners in the hands of the enemy receive from them.

The committee appointed to repair to camp having returned, made a report, which was read ;

*Ordered* to lie on the table.

*Resolved*, That Congress meet twice a day.

That at one o'clock Congress be of course adjourned, and meet again at three in the afternoon.

A petition from colonel Green was read :

*Ordered*, That it be referred to the board of war.

The committee to whom were referred the letters from Mr. Otis, brought in a report :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

W E D N E S D A Y, *December 17, 1777.*

Doctor Witherspoon, a delegate from New-Jersey, attended and took his seat in Congress.

A letter

A letter of the 14th and 15th from general Washington, near the Gulph, with a copy of a letter to him from lieutenant general Burgoyne, dated Cambridge, November the 25th ; a letter of the 16th from William Livingston, governor of New-Jersey ; and one of the 9th from Charles Alexander, late captain of the frigate Delaware, directed to the marine committee ; were laid before Congress and read :

*Ordered*, That the letter from governor Livingston be referred to the board of war ; and that the letter from captain Alexander be returned to the marine committee.

*Resolved*, That general Washington be directed to inform general Burgoyne, that Congress will not receive nor consider any proposition for indulgence or altering the terms of the convention of Saratoga, unless immediately directed to their own body.

According to the order of the day colonel Rawlins attended, and having informed Congress of the treatment our prisoners in the hands of the enemy receive from them, he withdrew.

*Three o'clock, P. M.*

Congress took into consideration the report of the committee on the letter from S. A. Otis, and after some time spent thereon,

*Resolved*, That it be recommitted, and that the committee be instructed to prepare a circular letter to the states, to accompany the resolution of Congress.

*Resolved*, That Mr. Gerry be added to the committee.

*Resolved*, That the governor and council of safety of Connecticut be authorised and requested to use their utmost endeavours to lay up all the supplies of salted provisions they are able, and to employ proper persons for that purpose, and co-operate with Mr. Colt therein.

Robert Lawson, a colonel of one of the battalions of Virginia forces, having sent his commission to Congress and requested leave to resign the same,

*Resolved*, That his resignation be accepted.

A remonstrance from the council and general assembly of Pennsylvania was read :

*Ordered*, That the consideration thereof be postponed till to-morrow.

The several matters to this day referred being postponed, adjourned to three o'clock to-morrow, *P. M.*

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THURSDAY,

THURSDAY, December 18, 1777.

*Three o'Clock, P. M.*

Mr. Jonathan B. Smith, a delegate from Pennsylvania, attended and took his seat in Congress.

A letter of the 3d from general Gates, inclosing a letter to him from lieutenant general Burgoyne, dated Cambridge, November the 14th, together with a list of the British and German troops, that surrendered by the convention of Saratoga : also a letter of the 12th and one of the 28th of November from R. Varick, esquire, deputy mustermaster general in the Northern department, with muster rolls of the Northern army ; were read :

*Ordered,* That the letter from general Gates, with the papers inclosed, be referred to a committee of five ;

The members chosen Mr. Witherpoon, Mr. Duer, Mr. Dana, Mr. F. L. Lee and Mr. J. B. Smith.

*Resolved,* That Mr. Harvie be added to the marine committee, in the room of Mr. R. H. Lee who is absent.

Congress took into consideration the report from the committee sent to camp to confer with general Washington, and the remonstrance from the executive council and assembly of Pennsylvania, and after some time spent thereon,

*Resolved,* That the farther consideration thereof be postponed till to-morrow.

A letter of the 7th from general Heath at Boston was read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

FRIDAY, December 19, 1777.

*Ordered,* That the letter from R. Varick, read yesterday with the rolls inclosed, be referred to the board of war.

A letter of the 15th from monsieur de la Balme was read.

Congress resumed the consideration of the report of the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania :

The committee having, in their report made mention of letters containing the opinions of general officers, which were laid before them by the general, and on which they grounded their opinion,

A motion was made that the committee be asked, whether they had those letters ?

The committee informed Congress that they had brought the letters with them, but that the general, when he delivered them



them the letters, mentioned that they might keep them to satisfy themselves and form their judgment, and then return them to him; and that therefore they consider themselves obliged to return them to the general:

*Ordered,* That the letters be laid on the table for the perusal of the members.

The letters were accordingly brought in and laid on the table.

*Three o'clock, P. M.*

A certificate from major general Gates, of his having promoted Denis John de Bouchet to the rank of major, was laid before Congress:

*Ordered,* That it be referred to the board of war.

Congress resumed the consideration of the report from the committee sent to confer with general Washington, and the remonstrance from the council and general assembly of Pennsylvania; and thereupon

*Resolved.* That a copy of the remonstrance be transmitted by express to general Washington, and that he be desired to inform Congress whether he has come to a fixed resolution to canton the army; and if he has what line of cantonment he has proposed; in particular what measures are agreed on for the protection of that part of Pennsylvania which lies on the easterly side of Schuylkill, and of the state of New Jersey:

That general Washington be farther informed that in the opinion of Congress, the state of New-Jersey demands in a peculiar degree the protection of the armies of the United States, so far as the same can possibly be extended consistent with the safety of the army and the general welfare; as that state lies open to attacks from so many quarters, and the struggles which have been made by the brave and virtuous inhabitants of that state in defence of the common cause cannot fail of exposing them to the particular resentment of a merciless enemy.

Congress took into consideration the report of the board of war of the 12th, and thereupon came to the following resolution.

Whereas sir William Howe, commander in chief of his Britannic Majesty's forces, has required that provisions should be sent in for the subsistence of the American prisoners in his possession, and for the purchase of such necessaries as they may stand in need of, and has prohibited the circulation of the money struck by the authority of these states within such parts of the country as are at present subjected to his power; whereby  
great

great difficulties have occurred in relieving the distresses of the American prisoners; and whereas large sums of continental bills of credit have been counterfeited and issued by the agents, emissaries and abettors of sir William Howe;

*Resolved*, That the accounts of all provisions and other necessities which already have been, or which hereafter may be supplied by the public to prisoners in the power of these states shall be discharged by either receiving from the British commissary of prisoners or any of his agents, provisions or other necessities, equal in quality and kind to what have been supplied, or the amount thereof in gold and silver, at the rate of four shillings and six-pence for every dollar of the currency of these states: and that all these accounts be liquidated and discharged previous to the release of any prisoners to whom provisions or other necessities shall have been supplied.

*Ordered*, That Monday next be assigned for taking into consideration the report of the committee respecting the establishment of a French legion.

The committee on the treasury brought in a report; whereupon

*Ordered*, That six thousand dollars be advanced to John Gibson, auditor general, to enable him to discharge a part of a warrant of Congress of the 1st of September last, drawn on him in favor of the delegates of Georgia; the said auditor general to be accountable.

*Ordered*, That four hundred dollars be paid to the honorable H. Laurens, to discharge a draft of William Palfrey, paymaster general, of December 11th, in favor of colonel Moses Rawlins; the said paymaster general to be accountable.

*Ordered*, That six hundred dollars be paid to Isaac Wikoff, in discharge of John Ashe's third draft, dated state of North-Carolina, the 5th of March last, in favor of William Dry, expressed to be for the payment and support of continental troops; the state to be accountable, and the sum to be considered as a part of the five hundred thousand dollars appropriated for the use of that state.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow,

SATURDAY, December 20, 1777.

Whereas it is represented to Congress, that a considerable number of the nine first regiments of Virginia forces, in the continental service, whose times of enlistment are near expiring are willing to re-enlist, and many of them have re-enlisted  
for

for three years or during the war, upon condition of receiving the continental bounty of twenty dollars, the suit of cloaths allowed by Congress, and a farther bounty of twenty dollars; and whereas the state of Virginia have engaged to pay the additional bounty, but the cloathier general has not a sufficiency of cloathing to supply the men; and it being represented that the men are willing to take money in lieu of the cloaths that cannot be supplied, and to furnish themselves with necessary cloathing:

*Resolved*, That the board of treasury be directed to settle the accounts of the said men, and to pay or order them to be paid for the articles of cloathing with which they cannot be supplied by the cloathier general, agreeably to the estimate fixed by Congress

The medical committee, to whom it was referred to enquire into the conduct of the director of the hospital at Alexandria reported, "that from the informations of several officers in the Virginia and North Carolina regiments, which are annexed, it appears obvious to the committee that doctor Rickman, director of the said hospital, has been guilty of great neglect in not giving proper attendance to the officers and soldiers under inoculation at Alexandria."

The said report and the informations being read:

*Resolved*, That doctor Rickman be immediately suspended, and that he attend the medical committee, to answer the several complaints exhibited against him

*Ordered*, That the medical committee transmit to doctor Rickman a copy of the complaints against him, and direct his attendance.

That the said committee write to doctor Shippen, director general, and direct him to send immediately a skilful physician to take care of the sick and superintend the inoculation of the soldiers at Alexandria.

Applications being made by Robert Yancey, to be reimbursed a sum of public money entrusted to him as paymaster of colonel Bland's regiment, and which he lost:

*Ordered*, That it be referred to the board of treasury to enquire into the circumstances, and report specially thereon.

*Resolved*, That Mr. Frost be added to the marine committee, in the room of Mr. Folsom, who being engaged at the treasury desires to be excused.

A letter of the 2d from brigadier Parsons, with a copy of a letter from him to general Tryon, and general Tryon's answer; were read:

*Ordered*,

*Ordered*, That brigadier Parf ns be directed to send to Congress an authentic account of the treatment which John and Philip Vantassel and their families received from the enemy.

A letter of the 14th from the navy board at Bordentown in New-Jersey, directed to the marine committee, was laid before Congress.

*Ordered*, That it be returned to the marine committee, and that they be directed to prepare proper resolutions for supporting the authority of the navy board, and report the same to Congress.

A letter from Flobergue de la Rocatelle, with a memoir annexed, was laid before Congress and read:

*Ordered*, That it be referred to the committee on foreign affairs.

The committee on the treasury brought in a report; whereupon

*Ordered*, That sixty-eight dollars be paid to Patrick M'Closkey, for a horse belonging to him, which was sent with an express to the eastward in February last and not returned, as appears by the certificate of Mr. Hancock, and Mr. Abeel, assistant quartermaster general.

That thirty nine dollars and 65-90ths be paid to Mr. A. Clark, for the amount of the expences of himself and others with the public papers, &c. at Bristol:

That six hundred thousand dollars be advanced to William Buchanan, commissary general of purchases, of which sum two hundred thousand to be sent to Mr. Cuyler his deputy in the Northern department; two hundred thousand to Mr. Colt, his deputy in the Eastern department; and two hundred thousand to his deputy in the Southern department; the said commissary general to be accountable.

That a warrant issue on John Lawrence, commissioner of the continental loan office in the state of Connecticut, for two hundred thousand dollars. in favor of the governor and council of safety of the said state, for the purpose of purchasing provisions agreeably to a resolution of Congress; the said governor and council to be accountable.

That the following warrants be drawn on Thomas Smith, commissioner of the loan office of the state of Pennsylvania, viz.

One in favor of Elias Boudinot, for five thousand dollars, to be paid in loan-office certificates, bearing date the 21st of May last, being in discharge of so much borrowed of him at that time by William Palfrey, paymaster general, who is to be accountable.

One



One in favor of Elias Boudinot, for one thousand two hundred dollars, to be paid in loan office certificates, to be dated the 7th of July last, being in discharge of so much borrowed of him at that time by W. Palfrey, paymaster general, who is to be accountable.

One in favor of John Morton, for fourteen thousand nine hundred dollars, to be paid in loan office certificates, bearing date the 27th of May last: and that there be paid to Elias Boudinot, for the said John Morton, seventy-two dollars and 80 90ths, the two last sums being for fourteen thousand nine hundred and seventy dollars and 1 2, borrowed on interest of the said John Morton, by William Palfrey paymaster general, as appears by his two receipts dated at Morristown, the 27th of May last, one for four thousand seven hundred dollars, the other for ten thousand two hundred and seventy dollars and 1 2, for which he is to be accountable, and also in discharge of the interest due on 70 dollars and 1 2 from the 27th of May to the 20th of December.

The said committee having also represented to Congress that the warrant drawn in favor of William Buchanan, commissary general of purchases, on the 16th of September last by the president of Congress on John Lawrence, esquire, commissioner of the loan office in the state of Connecticut, for two hundred thousand dollars, is returned for want of payment, and that Mr. Buchanan desires the same to be cancelled; it was thereupon

*Resolved*, That the said warrant be cancelled, and that proper entries be accordingly made in the public books at the treasury-office.

The committee to whom was re-committed the report on the letters from S. A. Otis brought in their report, which was taken into consideration; whereupon

*Resolved*, That it be most earnestly recommended to the respective legislatures of the United States, forthwith to enact laws, appointing suitable persons to seize and take for the use of the continental army of the said states, all woollen cloths, blankets, linens, shoes, stockings, hats, and other necessary articles of cloathing suitable for the army, which may be in the possession of any persons inhabitants of or residents within their respective states, for the purpose of sale and not for their own private use or family consumption, giving them certificates or receipts for the same, expressing the quantity and quality of the goods; provided that such laws do not extend to any goods, wares or merchandises which are or shall be *bona fide* imported into the respective states, on account of any persons not citi-

zens of any of these United States, so long as the same shall continue their property, and no longer; and that they inflict such penalties as may be deemed proper on such persons possessed of any of the above enumerated goods, wares, or merchandize, or other articles of cloathing suitable for the army; who, to evade the good intention of the said laws shall falsely affirm or declare the same to be the property of persons not citizens of any of the said United States.

2. That it be further recommended to make provision in the said laws to empower the commissary general of purchases or any of his deputies, or such other person as the respective legislatures may deem expedient, to seize all stock and every kind of provision necessary for the army, which may have been purchased up or engrossed by any person with a view of selling the same, giving to the person from whom such stock or provision have been taken, certificates as aforesaid.

3. That the value of all such goods, wares and merchandize as are above enumerated, or other articles of cloathing stock or provisions necessary for the army, which shall be so seized and taken, be ascertained at the rate at which the said articles shall be stated by the convention of the committees of the several states, to be held agreeably to the recommendation of Congress of the 22d of November last; the articles of cloathing to be paid for by draughts made by the respective states upon the cloathier general; and the stock or provisions by the purchasing commissaries receiving them.

4. And it is further recommended to the respective states to cause to be made up so much of the cloathing aforesaid as they can compleat within a reasonable time, and to send the whole of the cloathing so taken or seized, as well that part which may be made up as that which may remain unmade (except so much as may be necessary for cloathing the recruits enlisted in the states for their respective battalions in the continental service) to the cloathier general, to be distributed in the first instance to the supply of the troops belonging to the state furnishing such cloathing, and the residue in such manner as the commissioners of the war-office or the cloathier general shall from time to time direct: provided that this resolution shall not repeal or affect any part of the seventh proposition recommended to the legislatures of the respective states the 22d of November last, relative to the additional cloathing to be furnished to their respective battalions. And it is further resolved, That the cloathier general transmit from time to time to the respective states an account of the cloathing furnished to their battalions out of the stock by them

them collected and sent forward in order that each state may be satisfactorily informed that their troops receive immediate advantage from its exertions in the common cause.

5. And whereas great waste of cloathing has arisen from the want of fidelity or skill in the persons employed to make up the same;

*Resolved*, That it be recommended to the respective states to appoint one or more suitable persons to superintend and direct the tradesmen employed to make up the cloaths to be collected as aforesaid, who shall conform themselves to the instructions of the board of war relative to the form thereof, provided that no delays be suffered to take place from the want of such instructions.

6. And whereas the comfortable support of the army of these states may hereafter greatly depend on the supplies which they may be able to draw from their own internal resources; it is therefore most earnestly recommended to the said states to employ a sufficient number of manufacturers and tradesmen to supply the cloathing wanted for their respective battalions, exempting them, under proper regulations, from military duty; and authorising suitable persons to collect and supply at the stipulated prices, cotton, wool, flax, leather, and other articles for carrying on the said manufactures.

7. And whereas certain persons, devoid of and in repugnance to every principle of public virtue and humanity, instigated by the lust of avarice, are, in each state, assiduously endeavouring, by every means of oppression, sharpening and extortion, to accumulate enormous gain to themselves, to the great distress of private families in general and especially of the poorer and more dependant part of the community, as well as the great injury of the public service: for the effectual suppression of such nefarious practices it is most seriously recommended to the several legislatures aforesaid, forthwith to enact laws, limiting the number of retailers of goods, wares and merchandize in their several counties, towns and districts, and obliging them to take licence and enter into bonds for the observance of all laws made for their regulation; to make provision in the said laws that no persons be allowed to sell by wholesale except the importer, and he only to persons having such licence or the certificates hereafter mentioned; and that such of their inhabitants as are



not licenced as aforesaid be restrained from purchasing a greater quantity of such goods, wares and merchandize than is requisite for their own private or family's use and consumption : and that it be farther recommended to the several states to prohibit any persons whatsoever, not citizens of their respective states, from purchasing within the same any articles of cloathing or provision necessary for the use of the army (unless so much as may be requisite for their own private or family's use or consumption) excepting only such person or persons as shall produce a certificate, under the seal and sign manual of the supreme executive authority of the respective states, purporting that the said person or persons are employed or permitted to make purchases either on account of the public or for the use or benefit of the inhabitants of the state of which he or they are members—and to inflict such punishment upon all atrocious offenders before described as shall brand them with indelible infamy.

8. And whereas there is good reason to apprehend that many of the emissaries and abettors of general Howe are dispersed through the United States, under various pretences of amusement or business, whereby they are enabled to spread disaffection, intimidate the people by false news, depreciate the currency of the United States, and avoid serving in the militia or paying their fines : to prevent these mischiefs, it is most earnestly recommended to the supreme executive power of each state to take the most effectual measures to cause all persons, whose character and business is not well known and approved of, to be apprehended, and if they cannot give a good and satisfactory account of themselves, that they be obliged immediately to return to their own states or be confined in goal.

The committee having prepared a circular letter to accompany the foregoing resolutions, submitted it to Congress, and the same was read and agreed to as follows :

S I R,

I AM directed by Congress to transmit to your honorable body the inclosed resolutions, which the pressing wants of the army and the arts and avarice of engrossers and extortioners have rendered indispensably necessary to the general welfare.

It is with deep concern, that Congress after having for some time contemplated in painful silence the mischiefs which threatened



threatened this extended continent from the growing avarice of the times. feel themselves constrained to recommend measures, which the virtue of all classes of men rendered not long since unnecessary. And which a scrupulous regard for security of property to every citizen of these states has hitherto restrained from adopting. But, unhappy the case of America! laws unworthy the character of infant republics are become necessary to supply the defect of public virtue, and to correct the vices of some of her sons: and she is called upon by the grand principle of self-preservation to guard against the parricide of those whom she has fostered in her own bosom.

To minds, whose reflections are employed on the importance of the cause in which we are engaged, and that feel for every circumstance which may affect the honour and safety of these states, it must give the most painful sensations to consider, that at a time when the late signal successes we have been blessed with, the reduced numbers of the enemy, the difficulties they meet with in procuring foreign levies, and the political complexion of affairs in Europe have deprived Britain of many of those resources, on which she so much depended: when the number and improving discipline of our army, the prodigious augmentation of our military stores, the quantity of provisions with which this country abounds, and the large supplies of cloathing which have of late been imported by private persons, afford not only the opportunity, but the means, under divine providence, of establishing our liberties by a few exertions, this bright prospect should be clouded over, and this great and glorious event endangered by the langour of too many and by the arts and avarice of designing individuals, who like the British nabobs of the east are corrupting the manners of a whole nation and building vast fortunes on the destruction of the liberties of the western world.

It is to be hoped, however, that the wise and spirited laws of the different states, aided by the influence and exertions of the real patriots, will supply effectual remedies to those alarming evils—that the old and hardened offenders will be punished—that those, in whose bosoms the sparks of public virtue are not yet extinguished, will be reclaimed, the languid roused from their present apathy; and that all classes of men will unite with their former spirit and virtue against an enemy whose progress is marked with every vestige of barbarity, and whose determined object is to establish a tyranny of the

the most dangerous and debasing nature over the inhabitants of a vast continent.

Congress flatter themselves that the resolutions herewith transmitted will tend to accomplish some of these valuable purposes, and they therefore esteem it their duty to recommend them to the serious consideration of your honorable house, and hope they will be carried into execution as secretly and expeditiously as possible.

By order of Congress,

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

MONDAY, December 22, 1777.

A letter of the 11th and one of the 22d from Thomas Mullen, brigade major to general Conway, with a certificate in his favor from lord Stirling and general Sullivan; a letter from brigadier de Roche Fernoy; one from mons. de Kermovan; two from the chevalier de Bouchet; and one from the vis-compte de Languagne; were read:

*Ordered*, That it be referred to the board of war.

A letter of November 29th from general R. Howe, at Charlestown, South Carolina, and one from colonel D. Mason, at Williamsburgh, were read:

*Ordered*, That they be referred to the board of war.

Mr. Folsom, a member from New-Hampshire laid before Congress a paragraph of a letter from an officer of the troops from that state in the army under general Washington, representing the distresses of the said troops for want of cloathing:

*Ordered*, That the said paragraph, together with the remonstrance lately received from the council and assembly of Pennsylvania, be referred to the board of war.

*Resolved*, That such gold and silver as shall be received in consequence of the resolution of Congress of the 19th, for provisions and other necessaries supplied by the public to prisoners in the power of the United States of America, shall be forthwith paid into the continental treasury, subject to the future order of Congress.

The committee on the treasury brought in a report; whereupon

*Ordered*, That three hundred dollars be advanced to lieutenant colonel Faill, on his pay, he to be accountable:

That a warrant issue on Thomas Smith, commissioner of the loan office in the state of Pennsylvania, for ten thousand dollars, in favor of Elias Boudinot, commissary general of prisoners,

general of prisoners, on application of the board of war ; the said commissary general to be accountable :

That five hundred dollars be advanced to major James Armstrong Wilson, for recruiting two independent companies to be under his command, ordered to be stationed at Carlisle : the said Major Wilson to be accountable.

That one thousand eight hundred and thirty four dollars and 2-3ds be paid to captain John F. Mercer, being the balance of bounty, cloathing and blankets due to fifty three non-commissioned officers and privates of the third Virginia regiment, now under the command of the said captain Mercer, who is to be accountable for this sum.

*Ordered,* That the report of the committee, respecting the establishment of a French legion, be postponed.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

TUESDAY, December 23, 1777.

A letter of the 8th and one of the 11th from general Gates ; one of the 12th from governor Trumbull, with a copy of a letter from R. Pigot, to lieutenant general Burgoyne, inclosed ; one of the 3d from colonel Gansevoort ; one of the 29th of November from E. Hancock, deputy paymaster general in the Eastern department, with a monthly return : one of the 15th from colonel Mason at Williamsburgh ; and one of the 17th of October last from captain J. Kendrick, at Nantes, were read.

*Ordered,* That the letter from governor Trumbull, with that inclosed from R. Pigot, be referred to the committee on general Heath's letter.

That the letter from colonel Gansevoort be referred to the board of war.

That the letters from Mr. Hancock and colonel Mason be referred to the board of treasury ; and the letter from J. Kendrick to the committee of commerce.

The delegates from Virginia laid before Congress an account of the expences incurred by that state for prisoners.

*Ordered,* That it be referred to the board of treasury.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, December 24, 1777.

A memorial from lieutenant colonel Barton, who took general Prescott prisoner, was read ; whereupon

*Resolved,*

*Resolved*, That lieutenant colonel William Barton, on account of his enterprising spirit and his merit in taking major general Prescott prisoner, be promoted to the rank and pay of a colonel in the service of the United States, and that he be recommended to general Washington, to be employed in such services as he may deem best adapted to his genius.

The delegates of Virginia having applied for an advance of one hundred and fifty thousand dollars, to their state, to pay for goods collected and seized for the continental army, in consequence of a recommendation of Congress.

Application being also made by the delegates of New-Jersey for an advance of one hundred and twenty thousand dollars to that state; and by the delegates from New-Hampshire for an advance of one hundred and fifty thousand dollars to their state.

*Ordered*, That these several applications be referred to the board of treasury.

The board of treasury brought in a report; whereupon

*Ordered*, That six hundred dollars be paid to the delegates of Maryland, on the application of Mr. Rumsey, one of the said delegates, that state to be accountable.

That fifteen thousand dollars be paid to Isaac Melcher, barrackmaster general, for the use of his department, and for which he is to be accountable.

*Resolved*, That all the forces under the command of general Gates, or the commanding officer in the Northern department, shall be paid by Jonathan Trumbull, junior, paymaster in the Northern department.

A letter from the president of the council of Pennsylvania to the delegates of that state, was laid before Congress and read:

*Ordered*, That it be referred to a committee of four;

The members chosen Mr. Harvie, Mr. Clark, Mr. Duer, and Mr. Dyer.

A petition from Samuel Miffin, by his proctor William Lewis, was read, relative to the brig Sally, captured by Samuel Champlin, commander of the privateer American Revenue, condemned in the court of admiralty in the state of North Carolina, alledging that the condemnation was wrongfully obtained by a tortious and fraudulent act of captain Champlin, and praying the privilege of an appeal.

*Ordered*,



*Ordered*, That the consideration thereof be postponed.

A memorial from Israel Pemberton and others to the Congress, and executive council of Pennsylvania, was read.

The committee appointed to consider what pay and allowance ought to be made to continental flying camp and militia officers, captivated by the enemy, and held as prisoners or admitted to return home on parole, brought in a report :

*Ordered*, That the consideration thereof be postponed.

*Resolved*, That a committee of three be appointed to take into consideration the wants of the army, and the letter of the committee lately sent to camp, directed to general Washington ;

The members chosen, Mr. Gerry, Mr. J. B. Smith, and Mr. Witherspoon.

The several matters to this day referred being postponed, adjourned to ten o'clock on Friday.

FRIDAY, December 26, 1777.

A letter of November 26th from general Schuyler at Saratoga, was read.

*Resolved*, That three members be added to the committee appointed to enquire into the causes of the evacuation of Ticonderoga and Mount Independence, and into the conduct of the general officers in the northern department at the time of the evacuation ;

The members chosen, Mr. Dana, Mr. Witherspoon, and Mr. Ellery.

*Resolved*, That a committee of three be appointed to devise effectual means to prevent persons disaffected to the interest of the United States from being employed in any of the important offices thereof ;

The members chosen, Mr. Roberdeau, Mr. Clark, and Mr. Ellery.

A letter of the 20th from William Lux was read, inclosing two bills of exchange drawn on the clothier general by Raymond Demere, one in favor of John Wright Stanley, for one thousand five-hundred and sixty-two dollars and 1-2, dated Savannah, November 1st, 1777, and the other of the same date, in favor of Peter Lavien and company, for three thousand two hundred and ninety-nine dollars.

*Ordered*, That the same be referred to the board of treasury.

The

The committee to whom were referred the letters that passed between general Heath and lieutenant general Burgoyne, relative to the resolution of Congress of the 8th of November and the letter of the 14th of November from lieutenant general Burgoyne to general Gates, brought in a report, which was read.

*Ordered*, That it be referred to a committee of the whole Congress.

*Resolved*, That Congress resolve itself in the afternoon into a committee of the whole, to take into consideration the foregoing report.

A letter of the 22d and one of the 23d from general Washington, with sundry papers inclosed, was read.

*Ordered*, That they be referred to a committee of three : The members chosen Mr. Duer, Mr. Witherspoon, and Mr. Harvie.

*Three o'Clock, P. M.*

Congress resolved itself into a committee of the whole, to consider the report of the committee to whom were referred the letters that passed between general Heath and lieutenant general Burgoyne, relative to the resolution of Congress of the 8th of November; and the letter of the 14th of November from lieutenant general Burgoyne to general Gates; and after some time spent thereon the president resumed the chair, and Mr. F. L. Lee reported that the committee have had under consideration the report referred to them, but not having come to any resolution, desire leave to sit again.

*Resolved*; That Congress to-morrow be resolved into a committee of the whole, to consider farther the foregoing report.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

**SATURDAY, December 27, 1777.**

A letter of the 22d from brigadier Enoch Poor, was read, recommending the reverend Mr. Israel Evans as chaplain to his brigade :

*Ordered*, That the consideration thereof be postponed.

A memorial from brigadiers Poor and Patterson was read :

*Ordered*, That it be referred to the committee appointed to enquire into the causes of the evacuation of Ticonderoga, &c.

A memorial

A memorial from monsieur de la Balme was read :

*Ordered*, That the consideration thereof be postponed.

A letter of the 6th from Thomas Cushing was read, inclosing a bill drawn by him on Mr. Henry Laurens, president of the marine committee, in favor of Andrew and James Caldwell, for thirteen thousand three hundred and fifty nine dollars :

*Ordered*, That it be referred to the marine committee.

A petition from the reverend Mr. Daniel Batwell was read, setting forth " that by means of his confinement he is languishing under a dangerous disorder," and praying " to be enlarged on parole, or on giving security, or both, an indulgence which he requests for the sake of his private affairs and the re-establishment of his health :"

Also a certificate from doctor Henry was read, testifying, " that the petitioner labours under a complication of disorders. and that clear air and gentle exercise are absolutely necessary for his recovery " whereupon

It was moved, " That the petitioner be allowed to go to his farm, giving his parole to hold no correspondence with the enemies of the United States, nor to do any thing whatever to the prejudice of the American cause, there to remain till further orders :"

New-Hampshire,	Mr. Folsom,	no	} no
	Mr. Frost,	no	
Massachusetts-Bay,	Mr. Gerry,	no	} no
	Mr. Lovell,	no	
	Mr. Dana,	no	
	Mr. Ellery,	no	
Rhode-Island,	Mr. Dyer,	ay	} ay
Connecticut,	Mr. Lewis,	no	
New-York,	Mr. Duer,	no	} no
	Mr. Wither Spoon,	ay	
New-Jersey,	Mr. Clark,	no	} divided.
	Mr. Roberdeau,	no	
Pennsylvania,	Mr. James Smith,	ay	} divided.
	Mr. F. L. Lee,		
Virginia,	Mr. Harvie,	ay	} *
North-Carolina,	Mr. Penn,	ay	
	Mr. Harnett,	ay	} ay
South-Carolina,	Mr. Laurens,	no	
	Mr. Wood,	no	} no
Georgia,	Mr. Langworthy,	no	

So it passed in the negative.

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B b b b

*Resolved,*

*Resolved*, That in the opinion of Congress the reverend Mr. Batwell should be discharged from confinement, on taking an oath of allegiance to the state of Pennsylvania ; or on his refusal, that he should be allowed to go with his family into the city of Philadelphia.

*Three o'clock, P. M.*

The committee on the treasury brought in a report ; whereupon

*Ordered*, That four hundred dollars be advanced to general Conway, on account of his pay, and that the same be delivered to major Mullen ; general Conway to be accountable :

That four hundred dollars be advanced to the reverend John Hurt, on account of his pay as chaplain of brigadier Weedon's brigade he to be accountable :

That sixty dollars be paid by John Gibson, auditor general, to Francis Minnis, lieutenant in captain Lewis's company of the first Virginia regiment, commanded by colonel Hendricks, for which sum the said colonel is to be accountable :

That fifty thousand dollars be advanced to the board of war, to be by them transmitted to Benjamin Harrison, junior, deputy paymaster in Virginia, for the use of his department, and for which he is to be accountable :

That a warrant issue on Thomas Smith, commissioner of the loan-office in the state of Pennsylvania, in favor of colonel W. Buchanan, commissary general of purchases, for fifty thousand dollars, for the use of his department ; the said commissary general to be accountable :

That forty-seven thousand eight hundred and thirteen dollars and 25-90ths be paid to monsieur Rouilhac, in discharge of the principal and interest of a bill drawn by Abraham Livingston and William Turnbull, dated Boston the 17th of June last, in favor of captain Pierre de Campe, for value received of James Pierce in sundry merchandize for public service, which bill is directed to the honorable Robert Morris, chairman of the secret committee of Congress, and for payment to apply to James Mease, cloathier ; for which sum the said cloathier general is to be accountable.

Congress resolved itself into a committee of the whole, to consider farther the report of the committee on the letters that passed between general Heath and lieutenant general Burgoyne,



goyne, relative to the resolution of Congress of the 8th of November, and the letter from general Burgoyne to general Gates of November 14th, 1777, and after some time the president resumed the chair, and Mr. F. I. Lee reported, that the committee have had under their farther consideration the report to them referred and have come to two resolutions thereon, which he was ready to report :

*Ordered.* That they be now received :

The resolution agreed to by the committee of the whole being read,

*Ordered,* That the consideration thereof be postponed to Monday.

The several matters to this day referred being postponed, adjourned to 10 o'clock on Monday.

M O N D A Y, December 29, 1777.

A letter of the 3d and two of the 4th of November, from general R. Howe at Charlestown, South Carolina, were read :

*Ordered,* That they be referred to the board of war.

The delegates from the state of Virginia laid before Congress a resolution of the two houses of the general assembly of that commonwealth, passed December 12th, 1777, empowering any two of their delegates, from that time until the end of two months after the expiration of that session of the general assembly, to represent the state in Congress.

*Resolved,* That the committee on the letters of the 22d and 23d from general Washington be discharged ; and that the said letters be committed to the board of war, and that the said board, in conjunction with Mr. Harnett, Mr. Gerry and Mr. Clark, be fully empowered to take the necessary measures for supplying the army with provisions and other necessaries.

A letter from major Dennis John du Bouchet was read, wherein he represents, that his bad state of health obliges him to quit the service and return to France, and praying for a certificate of his past services and the reason of his return to France ; intimating at the same time some embarrassment with regard to his finances.

*Ordered,* That a certificate be granted to him, and that his letter be referred to the board of treasury.

The committee on the treasury brought in a report ; whereupon

*Ordered,*

*Ordered,* That three hundred dollars be advanced to Richard Ross, express rider, in part of his demand for services to the 16th of October last; he to be accountable:

That thirty dollars and 44-90ths be paid to monsieur Rouilhac, being so much short charged by him in his interest account on Livingston and Turnbills bill of June the 17th, in favor of captain Pierre de Campe, and that the same be charged to the cloathier general.

That a warrant issue on John Lawrence, commissioner of the loan office in the state of Connecticut, in favor of James Stevenson, one of the commissioners of accounts for the Eastern department, for six hundred dollars, to be advanced to him, and for which he is to be accountable:

That thirty dollars be paid to Martin Nicolas, as a gratuity for riding express with intelligence to Congress

*Resolved,* That the several commissioners of the continental loan-offices of the United States be directed to pay the annual interest arising on certificates, that are or may be issued from their respective offices, taking receipts and making returns agreeable to the directions of the board of treasury.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

T U E S D A Y, *December 30, 1777.*

The marine committee, to whom was referred a letter of the 11th from the navy board at Bordenton, complaining of the disrespect and ill treatment which one of the said board lately received from John Barry, commander of the frigate *Essex*, brought in a report; whereupon

*Resolved,* That captain John Barry be required immediately to attend Congress, to answer to the complaint exhibited against him, and that he be furnished with an extract from the letter of the navy board, as far as it relates to the said complaint.

Whereas it is essentially necessary to the marine service, that the officers of the navy of the United States of America should pay obedience to such orders as the navy boards in the respective departments may at any time find necessary to give them, for promoting the public service; and that all the officers in the said navy should treat the said navy boards with decency and with respect;

*Resolved,*

*Resolved*, That the navy boards be and they are hereby empowered to suspend any officer of the navy within their respective districts who shall refuse to pay obedience to such orders as they may think necessary to issue, or who shall treat them with indecency and disrespect; and the said navy boards are hereby required to give immediate notice to the marine committee of any such suspension, with the reasons thereof.

The marine committee reported, "that they have taken into consideration the proceedings and sentence of a court-martial held on board the ship *Lion*, at Bordenton in New-Jersey, for the trial of John Stewart, master's mate of the ship *Repulse*, and James Ledlie, master at arms of the said ship, and John Pemberton, armourer, John Campbell, quartermaster, and Michael Tarney, a boy, all belonging to the said ship *Repulse*; and it appearing that the criminals previous to the offences for which they are under condemnation, had behaved themselves as became their stations, and no positive proof appearing that they intended to desert to the enemy; and they being recommended as proper subjects of mercy, it is their opinion that they be pardoned, on condition they will enlist to serve as privates in the navy during the war.

*Resolved*, That Congress concur with the committee.

*Three o'clock, P. M.*

The board of war brought in a report; whereupon

*Resolved*, That general Washington be directed to inform the brave officers and soldiers of the continental army now in camp, that as the situation of the enemy has rendered it necessary for the army to take post in a part of the country not provided with houses, and in consequence thereof to reside in huts; Congress approving of their soldierly patience, fidelity and zeal in the cause of their country, have directed one month's extraordinary pay to be given to each; and are exerting themselves to remedy the inconveniencies which the army have lately experienced from the defects of the commissary's and cloathier's departments.

That after the first day of January next the commissary general of purchases be directed from time to time to compute the cost of each part of a ration, agreeably to the prime cost of the articles composing the same; and that he send a certificate thereof to the board of treasury; and also to the  
commissary

commissary general of issues, who is thereupon directed to publish the same to the issuing commissaries, to be by them observed in lieu of the estimate made in the 38th article of the commissary's regulations, passed by Congress the 10th of June last.

That general Washington be directed to recommend to the officers of the army to draw such a part of their rations only as may be necessary for their respective subsistence, and to receive the residue thereof in money at the estimated cost aforesaid, until the difficulties arising from the present deficiency in the commissary's department shall be removed.

*Resolved*, That the powers vested in general Washington by the resolutions of the 17th of September and 8th of October last, and the 10th instant, be extended from the last day of the present month to the 10th day of April next, unless sooner revoked by Congress.

*Resolved*, That persons, inhabitants of any of these United States, who have voluntarily enlisted or shall so enlist with or join the enemy of the said states, and have been or shall be taken in arms, be confined in close jails, subject to be delivered up to the respective states to which they belong, to be dealt with agreeably to the laws thereof; and that the commissary general of prisoners and his deputies be directed from time to time to transmit to the respective states the names of such of their citizens, who have been made prisoners.

A letter from brigadier de Roche Fermoy, was read, desiring to be promoted to the rank of major general; whereupon

*Resolved*, That brigadier de Roche Fermoy be informed that Congress do not think it expedient to promote him to the rank he solicits.

*Resolved*, That to-morrow be assigned for appointing an adjutant general in the room of colonel Pickering, who is called to the board of war.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.

WEDNESDAY, December 31, 1777.

A letter of the 22d, and one of the 25th from governor Livingston were read.

Application being made by the delegates of Virginia, for five field pieces for the use of their state.

*Ordered*,



*Ordered,* That it be referred to the board of war.

*Three o'clock. P. M.*

The committee on the treasury brought in a report ; whereupon

*Ordered,* That one hundred thousand dollars be advanced to the state of Virginia, for the purpose of paying for goods collected and seized for the continental army, in consequence of a recommendation of Congress; the money to be paid to the delegates, and the state to be accountable.

That a warrant issue on William Armistead, commissioner of the loan office in the state of Virginia, in favor of the delegates of the said state, for fifty thousand dollars, for the purpose expressed in the foregoing order ; the said state to be accountable.

That twenty thousand dollars be paid to the board of war, to be by them transmitted to John Smith, esquire, county lieutenant of Frederick, in the state of Virginia, to defray the expences of building barracks, purchasing provisions for prisoners of war in the said county, and the guards over them, and also for paying the guards, agreeably to the letter of October 23d, from his excellency governor Henry to colonel William Kennedy, the said John Smith to be accountable.

That a warrant issue on Joseph Borden, commissioner of the continental loan-office in the state of New Jersey for fifty thousand dollars, in favor of the delegates of that state, for the use of the said state, which is to be accountable.

That five thousand eight hundred and ninety-eight dollars be paid to captain Williams, in the North-Carolina forces, for the purpose of paying the officers and recruits belonging to the several Virginia battalions under the command of colonel John Williams, now detained in York by direction of the board of war ; for which purpose the said captain Williams is specially appointed paymaster.

*Ordered,* That captain Williams forthwith pay off the said recruits, according to the muster rolls attested by general Conway, and produce receipts from each of the officers and soldiers receiving the money, specifying the regiment or corps to which they belong. to be transmitted by the auditor general to the paymaster general, who is to be accountable.

*Ordered,* That three hundred thousand dollars be advanced to William Buchanan, commissary general of purchases, for the use of the middle district ; the said commissary general to be accountable.

That

That a warrant issue on Nathaniel Appleton, commissioner of the continental loan-office in the state of Massachusetts-Bay, for two hundred thousand dollars, in favor of James Mease, cloathier, for the use of his deputy Samuel Allen Otis, at Boston, the said cloathier general to be accountable.

*Resolved*, That the cloathier general be directed to authorize Samuel A. Otis, his deputy, to draw bills on him for such sums as shall be necessary to answer the demands on Mr. Otis, for cloathing, which cannot be discharged by the preceding draught.

Whereas Samuel A. Otis, deputy cloathier general in the state of Massachusetts-Bay, hath signified to Congress, that he hath contracted with sundry persons in the said state for a large quantity of cloathing for the use of the continental troops at the most extravagant rate of ten to eighteen hundred per cent. and that some of the holders of the said goods have even refused to deliver him the same until they shall receive the cash, thereby adding to extortion the crime of wounding the public credit as far as in them lay, and manifesting a disposition callous to the feelings of humanity and untouched by the severe sufferings of their countrymen, exposed to a winter campaign, in defence of the common liberties of their country.

*Resolved*, therefore, That Mr. Otis be directed to pay only for such of the said cloathing as he may have actually received, at the rate for which he may have contracted for such cloathing.

*Resolved*, That it be most earnestly recommended to the legislative authority of the state of Massachusetts Bay, immediately to take and seize the residue of the cloathing which the holders thereof have refused to deliver to the said Samuel A. Otis, agreeably to the resolutions of Congress of the 20th instant, which cloathing shall be paid for in manner and at the rate mentioned therein, and not otherwise.

*Ordered*, That the president write to the president of the council of Massachusetts Bay in the terms following :

“ It is with inexpressible concern that Congress learn the extortionate views and demands of the proprietors of cloathing lately purchased or attempted to be purchased within your state by Mr. Samuel A. Otis, deputy cloathier general, for the use of the continental troops now exposed in the field to the severities of the season; and that those individuals should even add to the crime of extortion a greater, if possible, that of refusing to deliver the goods upon the credit of the Thirteen United States, whereby they not only wound the  
public

public, but in all probability will be the means of many brave soldiers perishing in the field, merely for want of necessary cloaths.

“ This irrefragable evidence of the depravity of morals in so many of the citizens of these states is a most alarming circumstance ; and if the several governments do not speedily exert their authority effectually to suppress such unheard of extortion, it will unquestionably issue, and at no very distant period, in the destruction of the liberties of this continent. Congress feel themselves obliged to sound the alarm, however distressing it may be, to the several legislatures of these states, that their revenues cannot support such astonishing extravagance. Shall we then tamely see ourselves compelled, by the wicked conduct of some of the citizens of these states, to the cruel necessity of submitting to the mercy of an enraged tyrant.

“ This must, however, inevitably be our fate, should we delay applying a remedy to so dangerous an evil. Congress have judged it indispensibly necessary to come into the resolutions inclosed herein, and those lately transmitted on a like subject, which you are desired immediately to lay before the general assembly for their consideration, who are requested to keep these resolutions and their proceedings thereon secret, till carried into execution.”

The board of war brought in a report ; whereupon

*Resolved*, That as it is expedient to promote a speedy reformation in the army, as well for the purpose of discipline as œconomy ; and the number of officers being already out of all proportion to that of the privates, to avoid further embarrassments in this respect, it be recommended to the governments of the several states, to suspend filling up any vacancies in their respective regiments, until they shall hear further from Congress on the subject.

A motion was made for sending a committee to camp :

*Ordered*, That it be referred to a committee of three ;

The members chosen, Mr. Dana, Mr. Duer, and Mr. Dyer.

*Resolved*, That the appointment of an adjutant general be farther postponed.

A letter of this day from brigadier de Roche Fermoy ; one of the 8th of November from Nicholas Cooke, president of the council of war for the state of Rhode-Island ; and one of the 17th instant from Jeremiah Powell, president of the council of Massachusetts-Bay, were read.

The several matters to this day referred being postponed, adjourned to ten o'clock to-morrow.





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